

DETECTIVE DIVISION  
MONTGOMERY POLICE DEPARTMENT

CASE NUMBER: 03-025505  
RESTITUTION DUE  
(OWE VICTIM)

**CERTIFIED COPY**

TRIAL DATE:  
DISPOSITION:

FINAL VERDICT:

DEFENDANT: Robert Wermuth 948 Garland Drive Montgomery, AL B M 9/13/70

COMPLAINANT: POF J.C. Welch #361 320 North Ripley Street Montgomery, AL (334)241-2932

OFFENSE: Attempted Assault 1st 9/30/03 0350 hrs. 565 North East Blvd. Montg., AL

ARRESTED BY: CPL M.D. Hall #413 9/30/03 0409 hours 320 North Ripley Street Montg., AL

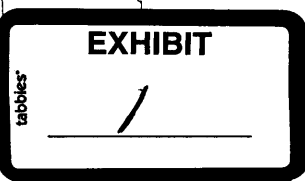
WITNESSES:

(1) POF J.C. Welch #361	MPD	(334)241-2932
(2) POF M.C. Deramus #1222	MPD	(334)241-2932
(3) SGT E.L. Johnson #367	MPD	(334)241-2932
(4) CPL M.D. Hall #413	MPD	(334)241-2831

TESTIMONY: Witness #1 will testify as the victim. Witness #2 will testify as being at the scene. Witness #3 will testify as taking the defendant into custody. Witness #4 will testify as the case agent.

ELEMENTS: On Tuesday, 9/30/03, the defendant did attempt to cause the victim serious physical injury by dragging him with a vehicle.

PROOF OF CASE: Physical and Oral testimony.



**APPROVED**

NOV 23 2003

CASE AGENT: CPL M.D. Hall #413

DATE: 11/11/03

LE SENT TO D.A.

BY: *[Signature]*

MONTGOMERY POLICE DEPARTMENT  
PROPERTY INVENTORY SHEET

PROPERTY INVENTORY NUMBERS:

- (1) 3356
- (2) 238525
- (3) 238526
- (4) 239029

NOTHING FOLLOWS

NOTHING FOLLOWS

NOTHING FOLLOWS

4 ORI # 0030100		5 DATE AND TIME OF THIS REPORT 093000Y3		6 AGENCY NAME Montgomery Police Department		7 IF SUPPLEMENT ORIGINAL OFFENSE DATE	
8 REPORTED BY VICTIM OR		9 ADDRESS (STREET, CITY, STATE, ZIP) 320 North Ripley Street Montgomery, AL 36104		10 PHONE ( )		11 VICTIM MULT. LE OFFICERS	
12 VICTIM (LAST, FIRST, MIDDLE NAME) POF J.C. Welch #361		13 ADDRESS (STREET, CITY, STATE, ZIP) 320 North Ripley Street Montgomery, AL 36104		14 PHONE (334) 241-2932		15 EMPLOYER/SCHOOL City of Montgomery	
16 OCCUPATION Police Officer		17 ADDRESS (STREET, CITY, STATE, ZIP) 320 North Ripley Street Montgomery, AL 36104		18 PHONE (334) 241-2932		19 RESIDENT NON-RESIDENT	
20 INJURY Y		21 RACE W		22 SEX M		23 HGT 6'05"	
24 WGT 210		25 DOB 10/26/71		26 AGE 31		27 WAS OFFENDER KNOWN TO VICTIM?	
28 VICTIM WAS (EXPLAIN RELATIONSHIP)		29 STATE CODE/LOCAL ORDINANCE 061(13)		30 TYPE INCIDENT OR OFFENSE Attempted Assault		31 DEGREE (CIRCLE) 1 2 3	
32 TYPE INCIDENT OR OFFENSE FEL MISD.		33 STATE CODE/LOCAL ORDINANCE		34 TYPE INCIDENT OR OFFENSE FEL MISD.		35 DEGREE (CIRCLE) 1 2 3	
36 PLACE OF OCCURRENCE 565 North Eastern Boulevard Montgomery, AL (Kwik Shop)		37 STATE CODE/LOCAL ORDINANCE		38 SECTOR 2 2		39 TREATMENT FOR Y N	
40 POINT OF ENTRY DOOR		41 METHOD OF ENTRY FORCIBLE NO FORCE		42 ASSAULT SIMPLE AGGR.		43 ASSAULT INJURY Y N	
44 OCCURRED ON OR BETWEEN 093000Y3		45 TIME 0350		46 WEATHER CLEAR CLOUDY RAIN FOG SNOW HAIL UNK.		47 LIGHTING NATURAL MOON ART. EXT. INT. UNK.	
48 PREMISE HWY.-ST.-ALLEY RAILROAD RESIDENCE CHURCH SCHOOL CONVENIENCE INDUSTRIAL SERVICE STA.		49 BANK DRUG STORE APT./TWN. HSE. SHOPPING CENTER PARKING LOT OTHER COMMER.		50 WEAPON USED FIREARM KNIFE HANDS, FISTS, VOICE, ETC. OTHER DANGEROUS		51 DESCRIPTION OF WEAPONS/FIREARMS/TOOLS USED IN OFFENSE 1989 Jeep Cherokee	
52 QUANTITY		53 STOLEN, RECOVERED, LOST, FOUND OR DESTROYED (INCLUDE MAKE, MODEL, SIZE, TYPE, SERIAL NUMBER, COLOR, ETC.)		54 DOLLAR VALUE STOLEN DAMAGED		55 RECOVERED DATE VALUE	
56 MOTOR VEHICLE		57 CURRENCY, NOTES		58 JEWELRY		59 CLOTHING/FURS	
60 FIREARMS		61 OFFICE EQUIPMENT		62 ELECTRONICS		63 HOUSEHOLD	
64 CONSUMABLE GOODS		65 LIVESTOCK		66 MISCELLANEOUS		67 CHECK CATEGORIES STOLEN RECOVERED SUSPECTS VEH. VICTIMS VEH. UNAUTH. USE ABANDONED	
68 TAG COLOR		69 VIN		70 STOLEN		71 LIC.	
72 VMA		73 VMO		74 VST		75 VCD: TOP: Red BOTTOM: Red	
76 WARRANT SIGNED		77 YES NO #		78 PHONE		79 AUTO INSURER NAME (COMPANY) ADDRESS (STREET, CITY, STATE, ZIP)	
80 STOLEN IN YOUR JURISDICTION?		81 YES NO WHERE?		82 RECOVERED IN YOUR JURISDICTION?		83 YES NO WHERE?	

TYPE OR PRINT IN BLACK INK

INCHES

ACJIC-32 REV 8-02

OFFICER'S WORK PRODUCT MAY NOT BE PUBLIC INFORMATION

<b>INCIDENT/OFFENSE REPORT CONTINUED</b>		96 DATE AND TIME OF REPORT 09/30/03		0505		97 SFX		98 <input checked="" type="checkbox"/> OFFENDER <input type="checkbox"/> CHECK IF MULTIPLE <input type="checkbox"/> SUSPECT <input type="checkbox"/> MISSING PERSON							
99 NAME (LAST, FIRST, MIDDLE) Wermuth, Robert				100 NICKNAME/ALIAS		101 RACE <input checked="" type="checkbox"/> W <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> I		102 SEX <input checked="" type="checkbox"/> M <input type="checkbox"/> F		103 DOB 09/13/70		104 AGE 33			
106 ADDRESS (STREET, CITY, STATE, ZIP) 948 Garland Drive Montgomery, AL						106 HGT 6'03"		107 WGT 170		108 EYE Bro		109 HAIR Blk		110 COMPLEXION Light	
111 PROBABLE DESTINATION M.C.D.F.						112 ARMED <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> UNK.		113 WEAPON							
114 CLOTHING Red tee shirt, black jeans						<input type="checkbox"/> SCARS <input type="checkbox"/> MARKS <input type="checkbox"/> TATOOS						115 WEAPON <input checked="" type="checkbox"/> ARRESTED <input type="checkbox"/> WANTED			
116 NAME (LAST, FIRST, MIDDLE)				117 NICKNAME/ALIAS		118 RACE <input type="checkbox"/> W <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> I		119 SEX <input type="checkbox"/> M <input type="checkbox"/> F		120 DOB M D Y		121 AGE			
122 ADDRESS (STREET, CITY, STATE, ZIP)						123 HGT		124 WGT		125 EYE		126 HAIR		127 COMPLEXION	
128 PROBABLE DESTINATION						129 ARMED <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> UNK.		130 WEAPON							
131 CLOTHING						<input type="checkbox"/> SCARS <input type="checkbox"/> MARKS <input type="checkbox"/> TATOOS						132 WEAPON <input type="checkbox"/> ARRESTED <input type="checkbox"/> WANTED			

<b>WITNESS</b>	133 NAME (LAST, FIRST, MIDDLE) SEX, RACE, DOB				134 ADDRESS (STREET, CITY, STATE, ZIP)				135 RES. PHONE				136 BUS. PHONE			
	#1		SEX <input type="checkbox"/> M <input type="checkbox"/> F RACE <input type="checkbox"/> W <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> I						( )				( )			
	#2		SEX <input type="checkbox"/> M <input type="checkbox"/> F RACE <input type="checkbox"/> W <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> I						( )				( )			
	#3		SEX <input type="checkbox"/> M <input type="checkbox"/> F RACE <input type="checkbox"/> W <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> I						( )				( )			
	#4		SEX <input type="checkbox"/> M <input type="checkbox"/> F RACE <input type="checkbox"/> W <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> I						( )				( )			

WITNESS #1 SSN				WITNESS #2 SSN				WITNESS #3 SSN				WITNESS #4 SSN			
<div style="display: flex; justify-content: space-between;"> <div style="width: 30px; text-align: center; font-weight: bold;">NARRATIVE</div> <div> <p>137</p> <p>On the date and time listed, the defendant attempted to cause serious physical injury to the victim.</p> </div> </div>															

CONTINUED ON SUPPLEMENT <input type="checkbox"/> Y <input checked="" type="checkbox"/> N													
ASSISTING AGENCY ORI								ASSISTING AGENCY CASE #				SFX	

I hereby affirm that I have read this report and that all information given by me is correct to the best of my knowledge. I will assume full responsibility for notifying this agency if any stolen property or missing person hereby reported is returned.

SIGNATURE \_\_\_\_\_

MULTIPLE CASES CLOSED		140 CASE #		141 SFX		142 CASE #		143 SFX		144 CASE #		145 SFX		146 ADDITIONAL CASES CLOSED NARRATIVE <input type="checkbox"/> Y <input type="checkbox"/> N		
ADMINISTRATION	147 CASE STATUS <input type="checkbox"/> PENDING <input checked="" type="checkbox"/> INACTIVE <input type="checkbox"/> CLOSED		148 CASE DISPOSITION <input type="checkbox"/> CLEARED BY ARREST (JUV.) <input checked="" type="checkbox"/> CLEARED BY ARREST (ADULT) <input type="checkbox"/> UNFOUNDED <input type="checkbox"/> ADM. CLEARED		<input type="checkbox"/> EXCEPTIONAL CLEARANCE <input type="checkbox"/> SUSPECT/OFFENDER DEAD <input type="checkbox"/> OTHER PROSECUTION <input type="checkbox"/> EXTRADITION DENIED <input type="checkbox"/> LACK OF PROSECUTION <input type="checkbox"/> JUVENILE, NO REFERRAL <input type="checkbox"/> DEATH OF VICTIM		149 REPORTING OFFICER CPL M.D. Hall				ID # 413		150 ASSISTING OFFICER		ID #	
	ENTERED ACIC/NIC DATE		<input type="checkbox"/> Y <input type="checkbox"/> N				151 SUPERVISOR APPROVAL				ID #		152 WATCH CMDR.		ID #	

ALABAMA UNIFORM INCIDENT DETENTION OFFENSE REPORT SUPPLEMENT

OFFICER'S WORK PRODUCT MAY NOT BE PUBLIC INFORMATION

ORI# 00301000		2 AGENCY NAME Montgomery Police Department		3 DATE AND TIME OF REPORT 11/17/03 20:30		4 CASE # 03-025505		5 SFX	
EVENT	6 VICTIMS NAME (ORIGINAL REPORT) POF J.C. Welch #361				7 ORIGINAL OFFENSE DATE 09/30/03		8 TYPE REPORT <input type="checkbox"/> CONTINUATION <input checked="" type="checkbox"/> FOLLOW-UP		
	9 ORIGINAL INCIDENT / OFFENSE Attempted Assault 1st				10 UCR CODE		11 STATE CODE / LOCAL ORDINANCE		
	12 NEW INCIDENT / OFFENSE				13 UCR CODE		14 STATE CODE / LOCAL ORDINANCE		
	15 HAS AN ARREST BEEN MADE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		16 DATE OF ARREST 09/30/03		17 HAS WARRANT BEEN OBTAINED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO WARRANT # 2003F-1640		18 DATE OF WARRANT 09/30/03		19 PRIOR PREMISE YEAR WEAPON
20 <input checked="" type="checkbox"/> DEFENDANT <input type="checkbox"/> SUSPECT					21 <input type="checkbox"/> DEFENDANT <input type="checkbox"/> SUSPECT				
NAME: Robert Wermuth					NAME:				
RACE <input checked="" type="checkbox"/> W <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> I		SEX <input checked="" type="checkbox"/> M <input type="checkbox"/> F		DOB 09/13/70		AGE 33		RACE <input type="checkbox"/> W <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> I	
<p>Show this case cleared by the arrest of black male Robert Wermuth, DOB 9/13/70, of 948 Garland Drive. He was arrested and placed in the Montgomery County Detention Facility.</p>									
NARRATIVE									
DOLLAR VALUE SCD									
24 MOTOR VEHICLE		25 CURRENCY, NOTES		26 JEWELRY		27 CLOTHING / FURS		28 FIREARMS	
29 OFFICE EQUIPMENT		30 ELECTRONICS		31 HOUSEHOLD		32 CONSUMABLE GOODS		33 LIVESTOCK	
34 MISCELLANEOUS		35 MOTOR VEH. STOLEN IN YOUR JURISDICTION? <input type="checkbox"/> Yes <input type="checkbox"/> No WHERE?		36 RECOVERED IN YOUR JURISDICTION? <input type="checkbox"/> Yes <input type="checkbox"/> No WHERE?		37 CASE #		38 SFX	
39 CASE #		40 SFX		41 CASE #		42 SFX		43 ADDITIONAL CASES CLOSED	
44 CASE STATUS <input type="checkbox"/> PENDING <input type="checkbox"/> INACTIVE <input checked="" type="checkbox"/> CLOSED ENTERED ACIC / NCIC DATE		45 CASE DISPOSITION: <input type="checkbox"/> CLEARED BY ARREST (JUV) <input checked="" type="checkbox"/> CLEARED BY ARREST (ADULT) <input type="checkbox"/> UNFOUNDED <input type="checkbox"/> ADM. CLEARED		46 REPORTING OFFICER Cpl M.D. Hall		47 ASSISTING OFFICER		48 SUPERVISOR APPROVAL	
				49 WATCH CMDR.					

TYPE OR PRINT IN BLACK INK ONLY

ACJIC-33 REV. 11-94

**MONTGOMERY POLICE DEPARTMENT  
SUPPLEMENTARY OFFENSE REPORT**

03-025505

Victim Name as on Original Report: (Last, First, Middle)		Date, Time of Offense:	Date, Time of Supplement:
POF J.C. Welch #361		9/30/03 0350	9/30/03 1950
Has arrest been made: Yes / No	Date of Arrest:	Offense as Reported:	
Yes	9/30/03	Attempted Assault 1 <sup>st</sup> Degree	
Has warrant/petition Been signed: Yes / No	Date Warrant/ Petition Signed:	Offense after investigation:	
Yes	9/30/03	Attempted Assault 1 <sup>st</sup> Degree	

**COMPLAINT:**

On Tuesday, September 30, 2003, at approximately 0350 hours, City of Montgomery Police Officer J.C. Welch #361, while working as a Third Shift Patrol Officer, was injured in the course of his duties as a Patrol Officer.

**INITIAL INVESTIGATION:**

On 9/30/03 this writer was informed by Sergeant Barnett that POF J.C. Welch #361 received injuries when he when he attempted to take black male Robert Wermuth, DOB 9/13/70, of 948 Garland Drive, into custody. SGT Barnett further advised that the defendant had been taken into custody by patrol and K-9 officers.

The defendant was transported to the City of Montgomery Police Department by patrol units. This writer met them on the second floor of the Police Department in an interior hallway. The defendant had blood on his head and also on his right arm. K-9 Unit 145, Corporal E.L. Johnson #367 had taken the defendant into custody with his K-9 partner and the defendant had received bog bites to his head and to his right arm. This writer took photographs of the defendant's injuries which will be added to the case file. The defendant was transported to the emergency room to receive treatment for his injuries.

POF Welch responded to the Detective Division and was escorted to my office located within the Detective Division. At approximately 0451 hours, I took a detailed audio taped statement from POF Welch. He had a bandage on his right hand and was unable to provide a written statement.



POF Welch explained that he and his partner, Police Officer M.C. Deramus #1222, were on routine patrol with POF Deramus driving and POF Welch in the passenger's seat. As they drove through the parking lot of the Kwik Shop, located at 565 North Eastern Boulevard, they observed through the front glass of the business that the clerk was speaking to someone on the telephone and was waving at them and pointing to a vehicle in the parking lot that was occupied by one black male subject. POF Deramus drove the patrol vehicle parallel to the vehicle, which was a 1989 red Jeep Cherokee, and POF Welch exited the vehicle. POF Welch approached the vehicle noticed that the steering column on the vehicle was busted and the subject inside, black male Robert Wermuth, was attempting to start the vehicle with a pair of needle nose pliers. POF Welch then attempted to remove Wermuth from the vehicle but was unable to and Wermuth then started the vehicle with POF Welch holding on to him and the vehicle. Wermuth drove the vehicle across the parking lot of the Kwik Shop with POF Welch trying to run along side still holding on to Wermuth and the vehicle. When Wermuth accelerated the vehicle, POF Welch released his hold on Wermuth and the vehicle and fell to the ground causing injuries to his right hand and arm. Wermuth was taken into custody a short time later. It was later determined that Wermuth had stolen two, eighteen packs of Budweiser Beer from the Kwik Shop. Both packs of beer were located in the vehicle with Wermuth when he was taken into custody.

The taped statement ended at approximately 0502 hours and will be transcribed and added to the case file.

After the statement was completed, POF Welch was taken to the emergency room to receive treatment for his injuries.

POF Deramus will provide a statement that will be added to the case file. CPL Johnson will also provide a statement detailing Wermuth being taken into custody be his K-9 partner and himself.

Due to Wermuth attempting to drag POF Welch with his vehicle, which could have resulted in serious physical injuries, a warrant was secured against him for Attempted Assault 1<sup>st</sup> Degree with a \$20,000.00 bond.

After receiving treatment for his injuries, Wermuth was escorted to the Detective Division and to my office by a patrol unit. At approximately 0627 hours, I read Wermuth his Miranda Rights and he stated that he did not wish to give a statement with out a lawyer. Wermuth was then escorted to the Montgomery City Jail and placed there on a Theft of Property 3<sup>rd</sup> Degree warrant, which was secured against him by the clerk from the Kwik Shop, black female Varaba Lewis, with a hold placed on him for the Montgomery County Detention Facility.

Show this case continuing.

Unfounded	Exc. Cleared	Investigator
Cleared By Arrest ✓	Inactivated	Cpl M.D. Hall #413



**MONTGOMERY POLICE DEPARTMENT  
SUPPLEMENTARY OFFENSE REPORT**

03-025505

Victim Name as on Original Report: (Last, First, Middle)		Date, Time of Offense:	Date, Time of Supplement:
POF Welch, J.C. #361		9/30/03 0350	11/17/03 2024
Has arrest been made: Yes / No	Date of Arrest:	Offense as Reported:	
Yes	9/30/03	Attempted Assault 1st	
Has warrant/petition been signed: Yes / No	Date Warrant/Petition	Offense after investigation:	
Yes	9/30/03	Attempted Assault 1st	

**DISPOSITION:**

Show this case cleared by the arrest of black male Robert Wermuth, DOB 9/13/70, of 948 Garland Drive. He was arrested and placed in the Montgomery County Detention Facility on a \$20,000.00 bond.

Unfounded	Exc. Cleared	Investigator
Cleared By Arrest ✓	Inactivated	Cpl M.D. Hall #413

Refused

MONTGOMERY POLICE DEPARTMENT  
DETECTIVE DIVISION

## WITNESS LOCATOR

WITNESS  
NAME: Robert Wermuth RESIDENCE  
PHONE: 262-4025OTHER NBR(S) PAGER CELLULAR RACE: B SEX: M WT 6'03 HT 170 DOB: 9/13/70 AGE: 33 SSN: 424-98-0085RESIDENCE  
ADDRESS: 948 Garladn Drive Montgomery  
(STREET) (CITY)  
Montgomery AL  
(COUNTY) (STATE)EMPLOYER: TELEPHONE: EMPLOYER  
ADDRESS:  Montgomery  
(STREET) (CITY)  
Montgomery AL  
(COUNTY) (STATE)POSITION HELD AND IMMEDIATE SUPERVISOR: 

## ALTERNATE CONTACT:

NAME: Marth Humphrey TELEPHONE: SAAADDRESS: SAARELATIONSHIP TO WITNESS: Friend

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT

AGENCY: MONTGOMERY POLICE DEPT.

( WITNESS )

DIVISION: DETECTIVEOFFICER: Cpl M.D. Hall #413

9/30/03

(DATE)

MONTGOMERY POLICE DEPARTMENT  
DETECTIVE DIVISION

## WITNESS LOCATOR

WITNESS

RESIDENCE

PHONE: [REDACTED]

NAME: POF J.C. Welch # 361

OTHER NBR(S) PAGER CELLULAR

RACE: W SEX: M WT 210 HT 6'05 DOB: [REDACTED] AGE: [REDACTED] SSN: [REDACTED]

RESIDENCE  
ADDRESS:

(STREET)

(CITY)

(COUNTY)

(STATE)

EMPLOYER: City of Montgomery

TELEPHONE: 334-241-2932

EMPLOYER  
ADDRESS:

320 North Ripley Street

(STREET)

Montgomery

(COUNTY)

Montgomery

(CITY)

AL

(STATE)

POSITION HELD AND IMMEDIATE SUPERVISOR: Police Officer

ALTERNATE CONTACT:

NAME: [REDACTED]

TELEPHONE: SAA

ADDRESS: SAA

RELATIONSHIP TO WITNESS: [REDACTED]

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT

AGENCY: MONTGOMERY POLICE DEPT.

( WITNESS )

DIVISION: DETECTIVE

OFFICER: Cpl M.D. Hall #413

9/30/03

(DATE)

VOLUNTARY STATEMENT FORM  
MONTGOMERY POLICE DEPARTMENT

DIV: Detective BUREAU: Robbery/Homicide

DATE: 9/30/03

NAME: Officer J. C. Welch, #361  
ADDRESS: [REDACTED]

AGE: [REDACTED] SEX/RACE: M/W  
PHONE: [REDACTED]

CONCERNING: Attempted Assault 1st Degree of a Police Officer

LOCATION OF INTERVIEW PAB: YES NO (SPECIFY): Room 212

STATEMENT TAKEN BY: Corporal M. D. Hall, #413

Beginning time 0451 Hours.

Q: State your name for me please?  
A: Officer J. C. Welch.

Q: Mr. Welch, are you employed by the City of Montgomery?  
A: Yes, I am.

Q: How are you employed by the City of Montgomery?  
A: Third Shift Patrol, Police Officer.

Q: Okay, and earlier tonight at approximately 0350 in the morning, were you employed as a Police Officer?  
A: Yes.

Q: Were you working as a Police Officer on Third Shift?  
A: Yes.

Q: Okay, and were you at the Kwik Shop located at 565 North Eastern Boulevard?  
A: Yes, on routine patrol.

Rm/E7280

M.D. Hall #413  
Detective Signature

\_\_\_\_\_  
Witness Signature

Signature of Person Giving Statement: I hereby affirm that the facts, values and/or descriptions given by me in this statement are the whole truth to the best of my knowledge and belief.

Q: Okay, were you riding with a partner?  
A: Yes.

Q: And what's your partner's name?  
A: Officer Melva Deramus.

Q: Okay, what'd I'd like for you to do for me is explain to me exactly what happened when you arrived at the Kwik Shop?

A: Well that night or approximately 350 Hours, we were riding in just routine patrol. Did a, we were riding through the convenience store just to do a routine check to make sure everything was alright. At which time we saw the store clerk on the, on the phone and waving us down. She started pointing at a vehicle that was located in the parking lot of the Kwik Shop and the vehicle was a red Jeep Cherokee, occupied by a Hispanic looking male. At which time I approached the vehicle, the door was still open to the vehicle and as I approached the vehicle I saw the steering column was, you know was popped to the vehicle and...

Q: Okay, let me stop you just a minute. When you say the vehicle, describe the vehicle to me?

A: The vehicle is an older style Jeep Cherokee red in color. Possibly earl, late 80's, early 90's model, box style. Its not a newer type model.

Q: Okay, now go ahead and (Inaudible)

A: I approached the vehicle, saw the steering column was popped, I reached inside the vehicle to, to take custody of the subject and asked him to step out of the vehicle. At which time the subject never, you know, made eye contact with me, never spoke to me. He just continued to, to jimmy with the pliers that were located on the steering column, trying to crank the vehicle. As he continued to crank the vehicle I steadily was trying to pull him out of the vehicle. At which time with, without any success he, he was able to crank the vehicle and once he got the vehicle cranked he pushed out, pushed off on me and I had to release, I had to release one hand from his arm. I had my left hand on his arm. I had to release that hand and I still had contact with shoulder and neck area trying to pull him out. He took off, he, he started the vehicle, put it in drive and took off. At which time he hit our vehicle, our patrol car and that would be the passenger side front quarter panel with

Rm/E7280

M.D. Hall #413  
Detective Signature

\_\_\_\_\_  
Witness Signature

Signature of Person Giving Statement: I hereby affirm that the facts, values and/or descriptions given by me in this statement are the whole truth to the best of my knowledge and belief.

his left side, driver side quarter panel and with me still halfway in the vehicle, now running along side of the vehicle. I continued to run along side the vehicle, halfway in until I was thrown from the vehicle and at which time I got on the radio and, and advised of what had happened.

Q: Okay, did, you said you were still halfway in the vehicle and you were, and he was driving across the parking lot, right. Was he dragging you on the ground?

A: He was not dragging me on the ground. He was, I was steadily running along side of the vehicle trying to prevent me from being drug on the ground. I had one hand, now on the door of the vehicle. It was still open and the other one was located on, still on his shoulder at, or you know halfway inside the vehicle.

Q: Do you re, did you receive any kind of injury?

A: I received several lacerations or scrapes to the palm of my left, right hand and a pretty good scrape to the el, to the right elbow and...

Q: Is that from making contact with the ground?

A: Yes.

Q: Okay, and this was after you let go of the vehicle...

A: Yes.

Q: ...and he, and he kept traveling out of the parking lot, correct?

A: He, and he headed south on, on North East Boulevard.

Q: Okay, you said that the clerk waved ya'll down. Did the clerk advise you of what this subject had done?

A: Once we, once we pulled off my partner went inside the store to find out what had, you know transpired before we got there. The clerk advised the subject had taken two half cases of beer which were, which when I did approach the vehicle I did see the beer inside his vehicle.

Q: Okay, you said earlier that he never made eye contact with you. Did you ever identify yourself to him as a Police Officer?

A: Yes.

Rm/E7280

---

M.D. Hall \* 413  
Detective Signature

---

Witness Signature

Signature of Person Giving Statement: I hereby affirm that the facts, values and/or descriptions given by me in this statement are the whole truth to the best of my knowledge and belief.



- Q: Okay.
- A: And my vehicle was pulled right next to his vehicle.
- Q: Were your me, were your emergency lights activated or any time did the lights on the vehicle were activated?
- A: No.
- Q: Okay, when ya'll first pulled up in the parking lot and the clerk waved ya'll down, was he already inside that vehicle...
- A: He was...
- Q: ...or was he standing outside of it?
- A: ...he was already inside the vehicle attempting to crank the vehicle with the (Inaudible)
- Q: Okay, and then when you approached the vehicle and you noticed that the steering column was popped what did that lead you to believe?
- A: It led me to believe that the vehicle was possibly stolen and at which time I was trying to get the, the subject out of the vehicle to do a field interview.
- Q: Did he ever at any time say anything to you?
- A: No, he did not.
- Q: He never spoke to you at any time?
- A: No, he never spoke to me at any time. He just continued to try and crank the vehicle.
- Q: Okay, and then once he was able to you were holding on to, once he was able to start the vehicle, when he started driving away he, you said he initially he, he backed into your vehicle?
- A: No, he, he just pulled forward, turned sharply to the left, striking our vehicle.
- Q: Okay, so were you parked behind him or were you parked...

BRIEF PAGING INTERRUPTION

Rm/E7280

M.D. Hall \*413  
Detective Signature

\_\_\_\_\_  
Witness Signature

Signature of Person Giving Statement: I hereby affirm that the facts, values and/or descriptions given by me in this statement are the whole truth to the best of my knowledge and belief.

Q: Where were you parked in relation to his vehicle in the parking lot?  
A: We were parked side by side. We, you know I was parked, my, the passenger side of my vehicle was parked right next to his driver side door.

Q: Okay, so, so, okay.  
A: It would be like...

Q: Side by side...  
A: Side by side.

Q: ...in the parking lot. Okay, and the reason its parked that way is because you weren't going in, your initial intention of going through the parking lot was just to check on the clerk in the store, correct?  
A: Just to check on the clerk on the, in the store and we were just doing a courtesy drive, drive through.

Q: And then when she, once she flagged ya'll down ya'll just stopped where you were to see what was going on, correct?  
A: Exactly.

Q: Alright, did your partner receive any kind of injuries?  
A: No, she never received any injuries. She was on the driver's side of the vehicle and once she saw the vehicle either, you know she thought the dr, vehicle was dragging me. Once she saw the, you know, me running along side the vehicle she tried to run behind me and then got on the radio.

Q: Okay, you said he struck the patrol vehicle, did he strike anything else in the parking lot that you saw, any other objects or anything?  
A: Not to my knowledge.

Q: Was he the only subject inside the vehicle?  
A: Yes, he was.

Q: And you advised earlier that you did see two 12 packs of...  
A: Budweiser.

Rm/E7280

---

M.D. Hall \* 413  
Detective Signature

---

Witness Signature

Signature of Person Giving Statement: I hereby affirm that the facts, values and/or descriptions given by me in this statement are the whole truth to the best of my knowledge and belief.

Q: ...inside the vehicle that he had taken from the store without paying for it....?

A: Yes.

Q: ...correct? And that's what you found out later from the clerk?

A: Later found out that the, the beer was unpaid for.

Q: Okay, so basically he stole the beer from them?

A: Yes.

Q: And that...

A: That's why the clerk had the phone to her ear when we pulled up.

Q: And that's why she was, and waving ya'll down?

A: Yes, because she was on the phone with the Police Department trying to call in a beer run or a 34 to the business.

Q: Okay, and a theft to the business, okay.

A: Uh-huh.

Q: And then once, after you were able to get yourself back together you were able to get onto the radio and give a description of the vehicle, correct?

A: I...

Q: And his direction of travel?

A: Yes, I was able to give a, you know, somewhat of a detailed description of a box style Jeep Cherokee with a possible Hispanic male, wearing glasses and a red shirt.

Q: Okay, and the, what color was the Jeep?

A: The Jeep was also red.

Q: Red, okay. Okay.

Ending time 0502 Hours.

Rm/E7280

---

M.D. Hall #413  
Detective Signature

---

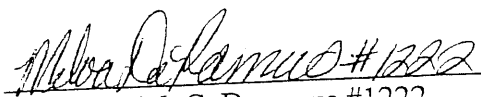
Witness Signature

Signature of Person Giving Statement: I hereby affirm that the facts, values and/or descriptions given by me in this statement are the whole truth to the best of my knowledge and belief.

Memorandum

To : Sergeant R. Lewis #326  
From : Officer M. C. Deramus #1222  
Subject : Attempting to apprehend B/M Suspect  
Date : September 30, 2003

On September 30, 2003 at approximately 0350 hrs, Unit 322, Welch and Deramus were doing our routine patrol of the district. We pulled up in the Quick Shop at Plantation and Northeast Blvd, we witnessed the cashier, Vabara Lewis waving and motioning us to stop the vehicle that was parked in front of the store which was an older model red Jeep Cherokee with a black male in the drivers seat. I then drove up next to the vehicle, me and my partner got out and my partner went up to the defendant's vehicle. At which time my partner asked the defendant to exit his vehicle and he would not. The defendant persisted on trying to crank up the vehicle. At which time I noticed he wasn't using a key but some needle nose pliers to crank up the vehicle. I then with my partner tried to get the defendant to exit the vehicle. At that time my partner held on to the defendant's shoulder to assist the driver out of the vehicle and I was pulling on his arm. At that time the defendant cranked up the vehicle and persisted to drive off and in the process collided into our patrol vehicle causing damage to the right side quarter panel. At that time my partner was still holding on to the defendant's vehicle. The defendant continued to drive while my partner was holding on the door. I was running on the other side motioning and yelling for the defendant to stop but he would not. Then shortly after my partner fell onto the ground as the defendant picked up speed turning on the Northeast Blvd going toward the interstate. My partner received injuries to the right side of his arm due to his falling.

  
Officer M. C. Deramus #1222

To: Lt. W.W. Caulfield

From: Cpl. E.L. Johnson #367

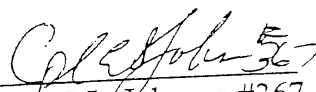
Date: 09-30-03

Subject: Apprehension of Robert Andrew Wermuth

Sir, on 09-30-03 at approximately 0345 hours Unit# 322 (Welch/Deramus) put a look out on the radio of a red Jeep Cherokee wanted in reference to Assault of a Police Officer and Theft of Property 3<sup>rd</sup> from the Qwik Serve at 565 North East Blvd. The subject was a light skin black male with a red shirt. The vehicle was last seen going west on the Boulevard.

A short time later Unit #331 observed a Cherokee matching the description on Mt. Meigs at California. He followed the vehicle to Day St. where he attempted to stop it. After a lengthy pursuit, I fell in as an assisting unit at Mill St. and Hill St. We followed the pursuit at a safe distance to Day St. and Hill St. where the subject wrecked into Unit #331's vehicle. I then followed the vehicle to 948 Garland St. where the subject bailed from the vehicle. He matched the description of the look out put out by Unit #322. The subject was given a warning to stand still which he did not heed to. I then released my K-9 Partner Jethro. He then engaged the suspect and took him into custody.

The suspect was B/M Robert Andrew Wermuth (09-13-70) of 948 Garland. He was charged with Assault 1<sup>st</sup> at the time of this writing. He had a two-inch laceration on the right side of his head and several scratches on his right bicep. He was transported Baptist South by Patrol for treatment of dog bites.

  
Cpl. E.L. Johnson #367

## ALABAMA UNIFORM ARREST REPORT

OFFICER'S WORK PRODUCT MAY NOT BE PUBLIC INFORMATION

1 ORI# 00030100		2 AGENCY NAME Montgomery Police Department		3 CASE # 03-025505		4 SFX 1	
5 LAST, FIRST, MIDDLE NAME Wermuth, Robert		6 ALIAS AKA		7 SEX <input checked="" type="checkbox"/> M <input type="checkbox"/> F		8 RACE <input checked="" type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> I	
9 HGT. 6'03		10 WGT. 170		11 EYE Bro		12 HAIR Blk	
13 SKIN Light		14 SCARS		15 MARKS		16 TATTOOS	
17 DATE OF BIRTH 09/13/70		18 AGE 33		19 MISCELLANEOUS ID #		20 SID #	
21 FINGERPRINT CLASS KEY HENRY CLASS		22 DL #		23 ST		24 FBI #	
25 IDENTIFICATION COMMENTS		26 RESIDENT <input checked="" type="checkbox"/> RESIDENT <input type="checkbox"/> NON-RESIDENT		27 HOME ADDRESS (STREET, CITY, STATE, ZIP) 948 Garland Drive Montgomery, AL 36108		28 RESIDENCE PHONE (334) 262-4025	
29 OCCUPATION (BE SPECIFIC) none		30 EMPLOYER (NAME OF COMPANY/SCHOOL)		31 BUSINESS ADDRESS (STREET, CITY, STATE, ZIP)		32 BUSINESS PHONE	
33 LOCATION OF ARREST (STREET, CITY, STATE, ZIP) 948 Garland Drive Montgomery, AL 36108		34 SECTOR # 113		35 ARRESTED FOR YOUR JURISDICTION? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		36 CONDITION OF <input type="checkbox"/> DRUNK <input type="checkbox"/> SOBER <input type="checkbox"/> DRUGS <input type="checkbox"/> OTHER	
37 RESIST ARREST? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		38 INJURIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		39 ARMED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		40 DESCRIPTION OF WEAPON <input type="checkbox"/> HANDGUN <input type="checkbox"/> RIFLE <input type="checkbox"/> SHOTGUN <input type="checkbox"/> OTHER FIREARM <input type="checkbox"/> OTHER WEAPON	
41 DATE OF ARREST 09/30/03		42 TIME OF ARREST 04:09		43 DAY OF ARREST M T W T F S S		44 TYPE ARREST <input checked="" type="checkbox"/> ON VIEW <input type="checkbox"/> CALL <input type="checkbox"/> WARRANT	
45 ARRESTED BEFORE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		46 CHARGE-1 Attempted Assault 1st		47 UCR CODE		48 CHARGE-2 FEL MISD	
49 STATE CODE/LOCAL ORDINANCE 2003F-1647		50 DATE ISSUED 09/30/03		51 WARRANT #		52 STATE CODE/LOCAL ORDINANCE	
53 CHARGE-3 FEL MISD		54 DATE ISSUED		55 WARRANT #		56 STATE CODE/LOCAL ORDINANCE	
57 CHARGE-4 FEL MISD		58 DATE ISSUED		59 WARRANT #		60 STATE CODE/LOCAL ORDINANCE	
61 ARREST DISPOSITION <input type="checkbox"/> HELD <input type="checkbox"/> TOT-LE <input type="checkbox"/> BAIL <input type="checkbox"/> OTHER <input type="checkbox"/> RELEASED		62 IF OUT ON RELEASE WHAT TYPE?		63 ARRESTED WITH (1) ACCOMPLICE (FULL NAME)		64 ARRESTED WITH (2) ACCOMPLICE (FULL NAME)	
65 VYR		66 VMA		67 VMO		68 VST	
69 VCO TOP BOTTOM		70 IMPOUNDED? <input type="checkbox"/> YES <input type="checkbox"/> NO		71 TAG #		72 LIS	
73 VIN		74 STORAGE LOCATION / IMPOUND #		75 RELEASED TO		76 CONTINUED IN NARRATIVE	
77 OTHER EVIDENCE SEIZED/PROPERTY SEIZED		78 JUVENILE <input type="checkbox"/> HANDLED AND RELEASED <input type="checkbox"/> REF. TO WELFARE AGENCY <input type="checkbox"/> REF. TO ADULT COURT <input type="checkbox"/> REF. TO JUVENILE COURT <input type="checkbox"/> REF. TO OTHER POLICE AGENCY		79 PARENT OR GUARDIAN (LAST, FIRST, MIDDLE NAME)		80 ADDRESS (STREET, CITY, STATE, ZIP)	
81 PARENTS EMPLOYER		82 OCCUPATION		83 ADDRESS (STREET, CITY, STATE, ZIP)		84 PHONE	
85 DATE AND TIME OF RELEASE 09/30/03		86 RELEASING OFFICER NAME CPL M.D. Hall		87 AGENCY/DIVISION MPD/Detective		88 ID # 413	
89 RELEASED TO		90 AGENCY ADDRESS 250 S. McDonough Street		91 AGENCY/DIVISION M.C.D.F.		92 PROPERTY NOT RELEASED/HOLD AT	
93 PERSONAL PROPERTY RELEASED TO ARRESTEE <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> PARTIAL		94 REMARKS (NOTE ANY INJURIES AT TIME OF RELEASE) Dog bites to head and right arm received during the apprehension of the defendant.		95 SIGNATURE OF RECEIVING OFFICER		96 SIGNATURE OF RELEASING OFFICER Cpl M.D. Hall #413	
97 MULTIPLE CASES CLOSED		98 CASE #		99 SFX		100 CASE #	
101 ARRESTING OFFICER (LAST, FIRST, M.) CPL M.D. Hall		102 ID # 413		103 ARRESTING OFFICER (LAST, FIRST, M.)		104 ID #	
105 WATCH CMDR.		106 ID #		107 SUPERVISOR		108 ID #	
109 ADDITIONAL CASES CLOSED NARRATIVE		110 WATCH CMDR.		111 ID #		112 ID #	

TYPE OR PRINT IN BLACK INK ONLY



## DISTRICT COURT OF MONTGOMERY, ALABAMA

INSTRUCTIONS: Complete the following information on OFFENSE/OFFENDER

Defendant's Name: B/M Robert WermuthD.O.B. 9/13/70Defendant's SSN: 424-98-0085Height: 6'03Weight: 170Defendant's Address: 948 Gariand Drive Montgomery, AL 36108Date & Time of Offense: 9/30/03 0350 hoursPlace of Occurrence: 565 North Eastern Boulevard Montgomery, AL (Kwik Shop)Person or Property Attacked: POF J.C. Welch #361How Attacked: 1989 Jeep CherokeeDamage Done or Property Attacked: Lacerations to right hand and arm

Value of Property: \_\_\_\_\_

## Details of Offense:

On the date and time listed, the defendant did attempt to cause serious physical injury to the victim. The defendant was taken into custody in the vehicle a short time after the offense.

THIS IS IN VIOLATION OF CRIMINAL CODE 13A-6-20.

This offense did occur in Montgomery County, Montgomery, Alabama.

I make this affidavit for the purpose of securing a warrant against the said B/M Robert Wermuth. I understand that I am instituting a criminal proceeding and cannot drop this case. I further understand that if any of the forgoing facts are untrue, I many, in addition to any other punishment provided by law, be taxed with court costs in this proceeding.

Sworn to and subscribed before me  
this 30th day of September 20 03

Cpl M.D. Hall #413  
Complainant

V. Beeman

Judge - Clerk - Magistrate

WITNESSES: (Name, Address, Telephone Number)

1) POF J.C. Welch #361 MPD 334-241-29322) POF M.C. Deramus #1222 MPD 334-241-29323) CPL M.D. Hall #413 MPD 334-241-2831

4) \_\_\_\_\_



STATE OF ALABAMA  
MONTGOMERY COUNTY

ALABAMA

CASE NO.

Before me the undersigned Judge/Clerk/Magistrate of The District Court of Montgomery County, Alabama, personally appeared

CPL. M. D. HALL

who being by me first duly sworn deposes and says that he has probable cause for believing, and does believe that within twelve months within said County on or about (date) SEPTEMBER 30, 2003

ROBERT WERMUTH

did

with the intent to commit the crime of ASSAULT 1ST

13A-6-20

attempt to commit said offense by ATTEMPTING TO DRAG VICTIM WITH THE VEHICLE

in violation of 13A-4-2 of the Code of Alabama, against the peace and dignity of the State of Alabama,

Sworn to and Subscribed before me this the 30TH day of SEPTEMBER, 2003

Judge/Clerk/Magistrate of District Court  
Of Montgomery County, Alabama

Complainant's Signature

STATE OF ALABAMA  
MONTGOMERY COUNTY

## WARRANT OF ARREST

THE DISTRICT COURT

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

You are thereof commanded to arrest

ROBERT WERMUTH

and bring him/her before the DISTRICT COURT OF MONTGOMERY COUNTY, to answer the State of Alabama on a charge of

ATTEMPTED (ASSAULT 1ST)

and have you then and there this writ with your return thereon

Dated this 30TH day of SEPTEMBER, 2003

The Sheriff will take bond in the sum of \$ 20,000.00

Judge/Clerk/Magistrate of District Court  
Of Montgomery County, Alabama

WARRANT NO. 2003F-1640

WARRANT OF ARREST  
THE DISTRICT COURT OF  
MONTGOMERY COUNTY, ALABAMA

## STATE WITNESSES

POF. J. C. WELCH #361  
320 N. RIPLEY ST.  
MONTGOMERY, AL 36104POF. M. C. DERAMUS #1222  
320 N. RIPLEY ST.  
MONTGOMERY, AL 36104CPL. M. D. HALL #413  
320 N. RIPLEY ST.  
MONTGOMERY, AL 36104

Defendant's Address:

948 GARLAND DR.  
MONTGOMERY, AL

Race: BLACK

Sex: MALE

DOB: 9-13-70

DL No:

S.S. Number: 424-98-0085

Employment:

Executed the within Warrant by Arresting  
the within named Defendant and  
Taking Appearance Bond  
Committing Defendant to Jail

THE STATE OF ALABAMA

v.



B0327300016 WERMUTH, ROBERT A  
 DOB: 09/13/70 Age: 33Y MR #: 544158  
 Admit Date/Time: 09/30/03 0502A  
 916 SHAW, RONALD A



**Baptist Health**  
**Emergency Room**  
**Discharge Instructions**

**DISCHARGE INSTRUCTIONS - MEDICAL CHART**

Weight	Phone	Allergies	Location South
<b>MEDICINES PRESCRIBED</b> Name/Strength 1. <i>Keflex 500mg 10 TID x 10 days</i> 2. <i>ibuprofen 400mg 1-2 TID x 10 days</i> 3. 4. 5.			If non, check this box: <input type="checkbox"/> <b>VOID IF NOT PRINTED WITH CRANBERRY BACKGROUND.</b> Number Schedule / Duration No Refills Refills

**INSTRUCTION SHEET(S) GIVEN**

- ☐ Asthma  
☐ Back Pain  
☐ Cast / Splint Care  
☐ Crutches  
☐ Fever  
☐ Fracture

- ☐ Head Injury  
☐ Otitis Media  
☐ Sprains / Bruises  
☐ STD

- ☐ Threatened Ab  
☐ Vomiting / Diarrhea  
☐ Wound Care  
☐ Other(s)

Return for signs of infection  
 > Redness  
 > Swelling  
 > Drainage  
 > Heat

**Additional Instructions:**

1. *Follow wound care instructions*  
 2. *wound check in 3 days*  
 3. *take medicine as directed*  
 4. *suture removal in 7 days*

**Referred to:**

☒ Dr. *your doctor in ER*

Phone: \_\_\_\_\_

☒ Call on next business day for follow-up appointment

in 2 days / weeks

☐ next available

- ☐ Return to Emergency Dept. in \_\_\_\_\_ hours / days for recheck  
☐ If no improvement or your condition worsens, call your private physician or return to the Emergency Department for a recheck.  
☐ Learning needs assessed ☐ Instructions Modified: \_\_\_\_\_  
☒ Education provided on new medication *keflex, ibuprofen*

I understand that the treatment I have received was rendered on an emergency basis and is not meant to replace complete care from a primary care provider or clinic. Furthermore, I may have been released before all of my medical problems were apparent, diagnosed, and/or treated. If my condition worsens, I have been instructed to call my primary care provider or return to this facility or the nearest emergency center. I understand that I should NOT drive or perform hazardous tasks if my medication or treatment causes drowsiness. I have read and understand the above, received a copy of this form and applicable instruction sheets, and I will arrange for follow-up care. If diagnostic tests indicate a need for modification in therapy, you will be notified at the phone number you provided.

Time Released > 0555 Hrs.

Instructed By: *S.W. Horn*

Physician: *[Signature]*

**WORK/ SCHOOL STATEMENT from the Emergency Department**

Patient Name

Date

- ☐ Patient was seen by Dr.  
☐ No athletics / physical education: \_\_\_\_\_ days\*  
☐ May return to work / school without restrictions  
☐ Will require time off work / school. Estimated time: \_\_\_\_\_ days\*  
☐ Must be reevaluated by family / occupational physician before returning to school / work.

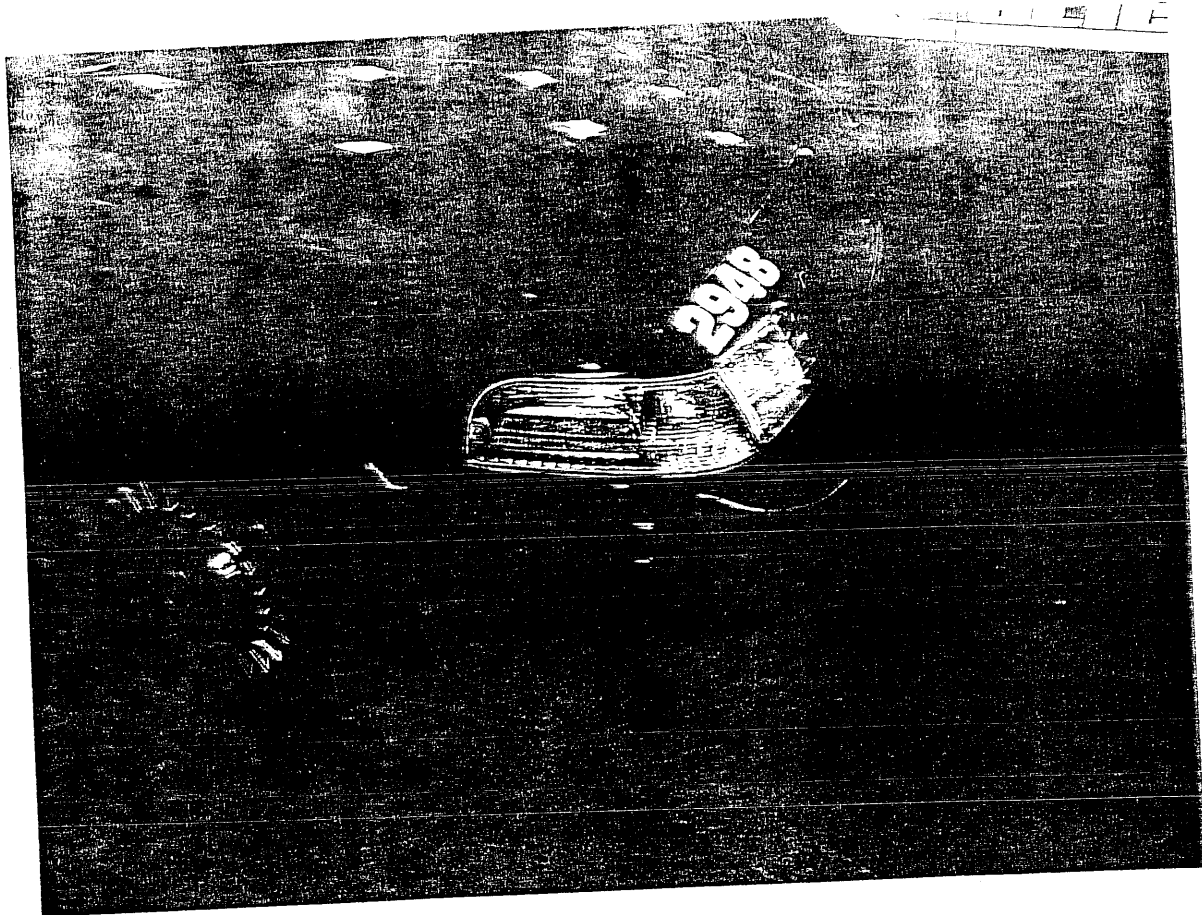
- ☐ May return to restricted duties for \_\_\_\_\_ days  
 Restrictions: \_\_\_\_\_  
 \_\_\_\_\_ was here with relative/ child.  
☐ Other: \_\_\_\_\_

Time off from School or Work longer than 3 days should be approved by a Personal or Company/ Occupational Medicine Physician, unless otherwise stated.





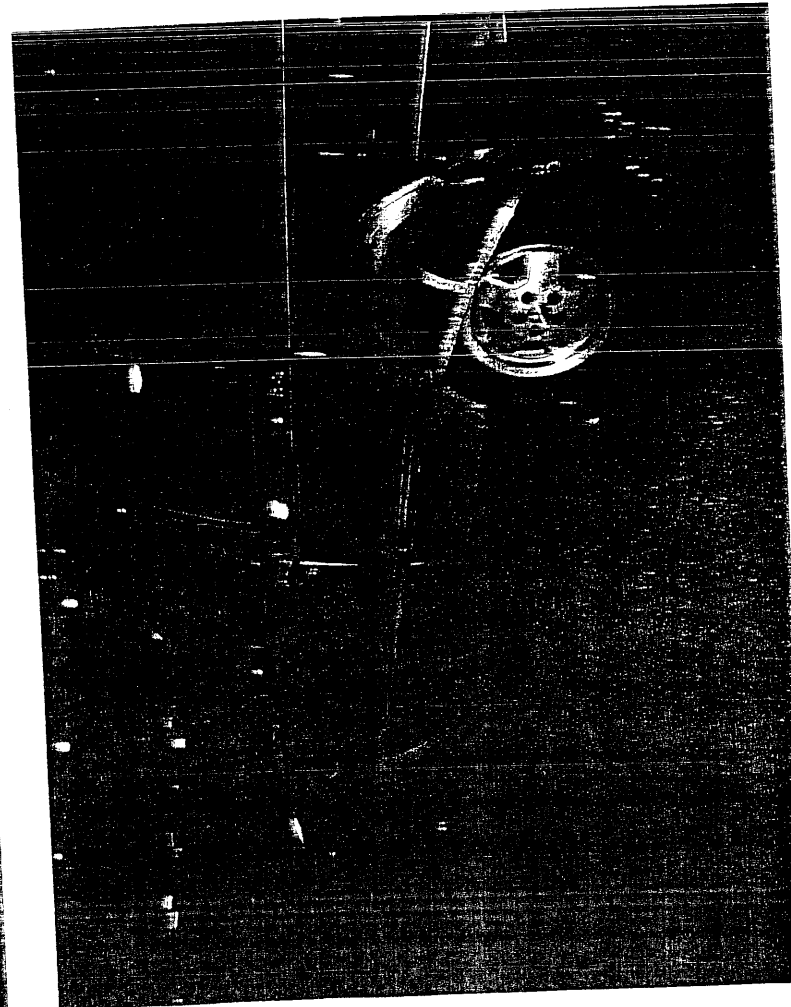
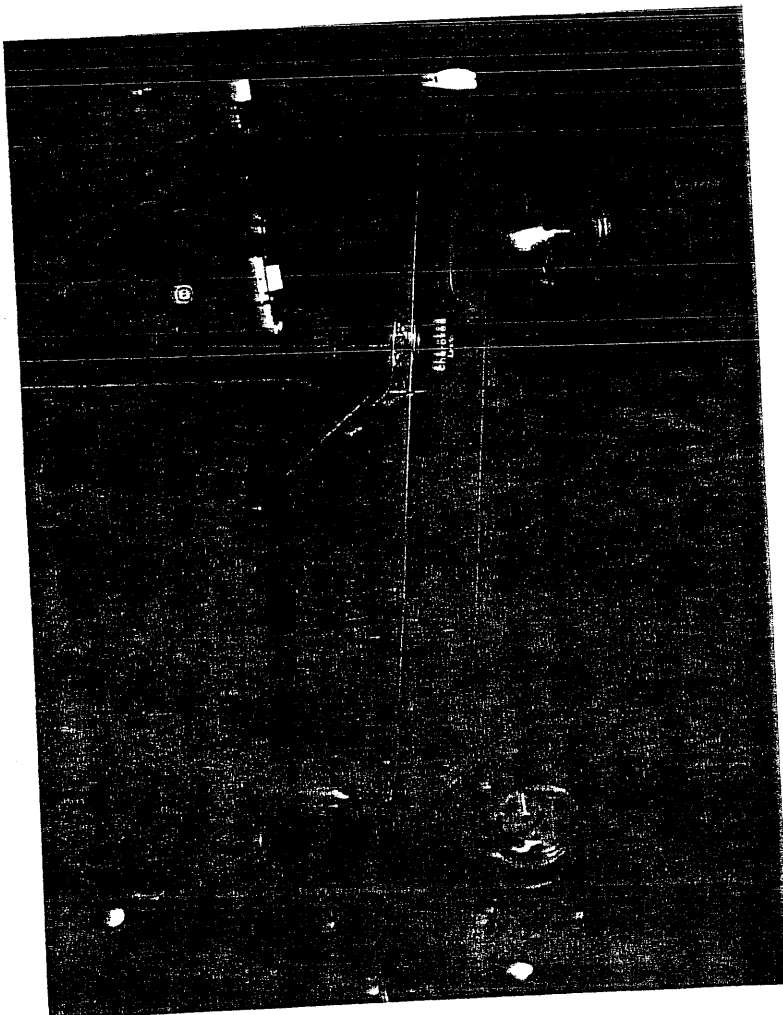
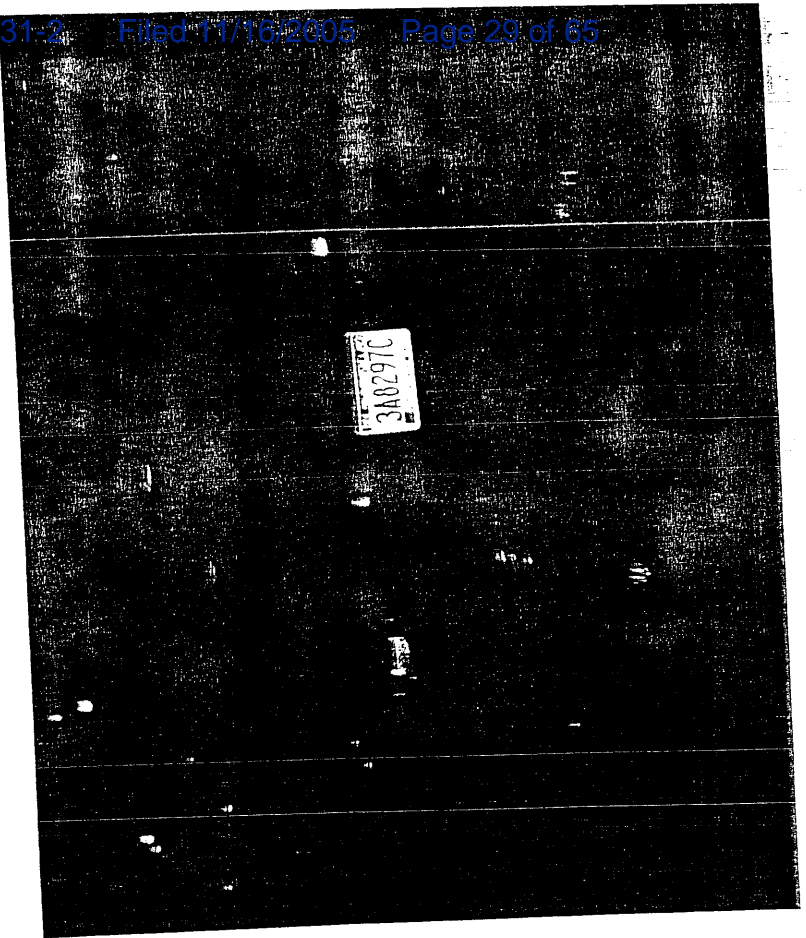
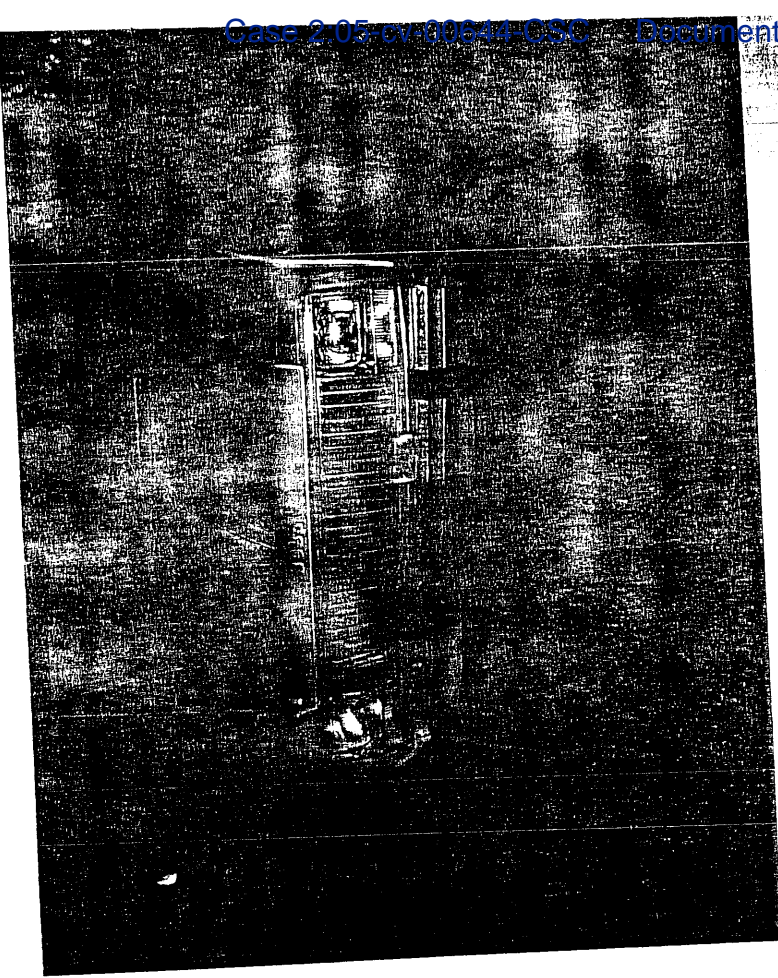
















## MONTGOMERY POLICE DEPARTMENT

## VEHICLE IMPOUND REPORT

DATE 9-30-03 TIME 0500 IMPOUND RPT# 3356  
 SAFE STREETS IMPOUND: YES/NO I/O# \_\_\_\_\_  
 VEH MAKE Amer. VEH MODEL Cherokee VEH YEAR 1989  
 VEH BODY SU VEH COLOR(S) Red  
 VIN# 1J4FT58LIK L454041 TAG# 3AY297C ST AL YEAR \_\_\_\_\_  
 WHERE FOUND 948 Garland Dr Montg AL  
 REASON IMPOUNDED Subject IN Custody  
 OWNERS NAME Martha Humphrey DRIVER'S NAME Robert Wermuth  
 ADDRESS 948 GARLAND DR ADDRESS 948 GARLAND  
 CITY/ST Montg AL CITY/ST Montg AL  
 PHONE (334) - 262-4025 PHONE - -  
 NCIC CHECKED yes NCIC RESULTS Neg  
 IF STOLEN, OWNER NOTIFIED \_\_\_\_\_ DATE/TIME NOTIFIED \_\_\_\_\_  
 NOTIFIED BY \_\_\_\_\_ ID# \_\_\_\_\_ KEYS W/VEHICLE NO  
 CAN VEHICLE BE RELEASED? YES IF NO, WHY? \_\_\_\_\_

IMPOUNDING OFFICER N.B. Fitzpatrick ID# 902  
 TOWING FIRM Waldrip TIME RELEASED TO WRECKER 0515 HRS

WRECKER DRIVER'S SIGNATURE [Signature]

\*\*\*\*\*

VEHICLE RELEASED TO: NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ ST \_\_\_\_\_ ZIP \_\_\_\_\_

SIGNATURE \_\_\_\_\_ D/L# \_\_\_\_\_ ST \_\_\_\_\_

SAFE STREETS AUTHORIZED DRIVER (IF NOT OWNER) D/L#: \_\_\_\_\_

NAME: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

DATE/TIME RELEASED \_\_\_\_\_

OFFICER ISSUING RELEASE \_\_\_\_\_ ID# \_\_\_\_\_

# MONTGOMERY POLICE DEPARTMENT PROPERTY INVENTORY

Date 9-30-03 Time 0524 ☒ A.M. ☐ P.M.

OFFICE USE ONLY

238525

Property No.

Area/Bin No.

Type Property:

Evidence ☒Personal ☐Found ☐

## WEAPONS ONLY

Ex-Felon Check	YES	NO	NCIC CHECK	YES	NO
Ex-Felon	YES	NO	If Stolen attach Print Out		
DOB	/	/	Stolen	YES	NO
			Removed from	YES	NO
			NCIC		

Officers Name

H.D. Hall  
Name

413

ID

Detective  
Division241-2849  
PX

Where Found

Property Owner

Name

Address

Zip Code

Telephone

Offense

Attempted Assault 1st Degree03-125505  
Report No.

Defendant's Name

Robert Wernuth

Description of Property:

1- Video tape from Kwik Shop - 565 N.E. Blvd.

Release Authorization: Release to

Any Persons Detective

BY

Cpl H.D. Hall #413

DATE

9-30-03

TIME

0524

PERSONAL OR FOUND PROPERTY NOT CLAIMED WITHIN 30 DAYS WILL BE DISPOSED OF (334) 241-2523

Property Received By:

Cadet M.G. Darby #717

WHITE COPY-SUPPLY / GREEN COPY-OWNER / BLUE COPY-OFFICER

4 ORI # 0030100		5 DATE AND TIME OF THIS REPORT 09/30/03		6 AGENCY NAME 0505 Montgomery Police Department		7 IF SUPPLEMENT ORIGINAL OFFENSE DATE		8 REPORTED BY VICTIM OR		9 ADDRESS (STREET, CITY, STATE, ZIP)		10 PHONE							
12 VICTIM (LAST, FIRST, MIDDLE NAME) POF J.C. Welch #361		13 ADDRESS (STREET, CITY, STATE, ZIP) 320 North Ripley Street Montgomery, AL 36104		14 PHONE (334) 241-2932		15 EMPLOYER/SCHOOL City of Montgomery		16 OCCUPATION Police Officer		17 ADDRESS (STREET, CITY, STATE, ZIP) 320 North Ripley Street Montgomery, AL 36104		18 PHONE (334) 241-2932							
19 RESIDENT NON-RESIDENT		20 INJURY Y N		21 RACE W A B I		22 SEX MALE FEMALE		23 HGT 6'05"		24 WGT 210		25 DOB 10/26/71		26 AGE 31		27 WAS OFFENDER KNOWN TO VICTIM?		28 VICTIM WAS (EXPLAIN RELATIONSHIP)	
30 TYPE INCIDENT OR OFFENSE Attempted Assault		31 DEGREE (CIRCLE) 1 2 3		32 STATE CODE/LOCAL ORDINANCE 061(B)		33 TYPE INCIDENT OR OFFENSE		34 DEGREE (CIRCLE) 1 2 3		35 STATE CODE/LOCAL ORDINANCE 3-2		36 PLACE OF OCCURRENCE 565 North Eastern Boulevard Montgomery, AL (Kwik Shop)		37 SECTOR 1112					
40 POINT OF ENTRY DOOR ROOF WINDOW OTHER		41 METHOD OF ENTRY FORCIBLE ATT. FORCIBLE NO FORCE		42 ASSAULT SIMPLE AGGR.		43 TREATMENT FOR Y N		44 ASSAULT INJURY Y N		45 OCCURRED ON OR BETWEEN 09/30/03		46 TIME 0350		47 LIGHTING NATURAL MOON ART. EXT ART. INT UNK.		48 WEATHER CLEAR CLOUDY RAIN FOG SNOW HAIL UNK.		49 PREMISE HWY.-ST.-ALLEY RAILROAD RESIDENCE CHURCH SCHOOL CONVENIENCE INDUSTRIAL SERVICE STA.	
50 WEAPON USED FIREARM KNIFE HANDS, FISTS, VOICE, ETC. OTHER DANGEROUS		51 STOLEN, RECOVERED, LOST, FOUND OR DESTROYED (INCLUDE MAKE, MODEL, SIZE, TYPE, SERIAL NUMBER, COLOR, ETC.)		52 DOLLAR VALUE STOLEN DAMAGED		53 RECOVERED DATE VALUE		54 VERIFY FOR Y N		55 TREAT. FOR Y N		56 CIRCUMSTANCES HOMICIDE & ASSAULT LOCATION: RAPE		57 DESCRIPTION OF WEAPONS/FIREARMS/TOOLS USED IN OFFENSE 1989 Jeep Cherokee		58 HANDGUN RIFLE SHOTGUN UNKNOWN		59 OFFICE EQUIPMENT	
60 QUANTITY		61 STOLEN, RECOVERED, LOST, FOUND OR DESTROYED (INCLUDE MAKE, MODEL, SIZE, TYPE, SERIAL NUMBER, COLOR, ETC.)		62 DOLLAR VALUE STOLEN DAMAGED		63 RECOVERED DATE VALUE		64 MOTOR VEHICLE		65 CURRENCY, NOTES		66 JEWELRY		67 CLOTHING/FURS		68 FIREARMS		69 OFFICE EQUIPMENT	
70 ELECTRONICS		71 HOUSEHOLD		72 CONSUMABLE GOODS		73 LIVESTOCK		74 MISCELLANEOUS		75 CHECK CATEGORIES STOLEN RECOVERED SUSPECT'S VEH. VICTIM'S VEH. UNAUTH. USE ABANDONED		76 # STOLEN 3A8297C		77 LIC. AL		78 LIS. 2003		79 LTY. Red/White	
80 TAG COLOR Red/White		81 VIN 1J4FT58L1KL454041		82 VYR 1989		83 VMA Amer		84 VMO Che		85 VST SU		86 VCO: TOP: Red BOTTOM: Red		87 ADDITIONAL DESCRIPTION		88 AREA STOLEN VEH ONLY BUS. RES. RUR.		89 OWNERSHIP TAG RECEIPT BILL OF SALE TITLE OTHER	
90 WARRANT SIGNED YES NO #		91 AUTO INSURER NAME (COMPANY) ADDRESS (STREET, CITY, STATE, ZIP)		92 PHONE ( )		93 STOLEN IN YOUR JURISDICTION? YES NO WHERE?		94 RECOVERED IN YOUR JURISDICTION? YES NO WHERE?		95 MOTOR VEH. RECOVERY ONLY REQUIRED FOR 24HR UCR CODE		96 STOLEN IN YOUR JURISDICTION? YES NO WHERE?		97 RECOVERED IN YOUR JURISDICTION? YES NO WHERE?		98 MOTOR VEH. RECOVERY ONLY REQUIRED FOR 24HR UCR CODE		99 STOLEN IN YOUR JURISDICTION? YES NO WHERE?	

TYPE OR PRINT IN BLACK INK

ACJIC-32 REV 5-02

INCHES

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717

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LIVE ON LINE IN REVIEW ONLY

NOV 10 37

DATA PROCESSED

OFFICER'S WORK PRODUCT MAY NOT BE PUBLIC INFORMATION

1 ORI# 0030100		2 AGENCY NAME Montgomery Police Department		3 DATE AND TIME OF REPORT 11/17/03 20:30		4 CASE # 03-025505		5 SFX	
6 VICTIMS NAME (ORIGINAL REPORT) POF J.C. Welch #361		7 ORIGINAL OFFENSE DATE 09/30/03		8 TYPE REPORT <input type="checkbox"/> CONTINUATION <input checked="" type="checkbox"/> FOLLOW-UP		9 ORIGINAL INCIDENT / OFFENSE Attempted Assault 1st		10 UCR CODE	
12 NEW INCIDENT / OFFENSE		13 UCR CODE		11 STATE CODE / LOCAL ORDINANCE		14 STATE CODE / LOCAL ORDINANCE			
15 HAS AN ARREST BEEN MADE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		16 DATE OF ARREST 09/30/03		17 HAS WARRANT BEEN OBTAINED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO WARRANT # 2003F-1640		18 DATE OF WARRANT 09/30/03		19 PRIOR PREMISE YEAR WEAPON	
20 <input checked="" type="checkbox"/> DEFENDANT <input type="checkbox"/> SUSPECT NAME: Robert Wermuth		21 <input type="checkbox"/> DEFENDANT <input type="checkbox"/> SUSPECT NAME:		RACE <input checked="" type="checkbox"/> W <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> I		SEX <input checked="" type="checkbox"/> M <input type="checkbox"/> F		DOB 09/13/70	
AGE 33		RACE <input type="checkbox"/> W <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> I		SEX <input type="checkbox"/> M <input type="checkbox"/> F		DOB M D Y		AGE	
<p>Show this case cleared by the arrest of black male Robert Wermuth, DOB 9/13/70, of 948 Garland Drive. He was arrested and placed in the Montgomery County Detention Facility.</p> <p>3-2 # 200300005003</p>									
<p>22 LOCAL USE U U K</p> <p>23 STATE USE</p>									
24 MOTOR VEHICLE		25 CURRENCY, NOTES		26 JEWELRY		27 CLOTHING / FURS		28 FIREARMS	
29 OFFICE EQUIPMENT		30 ELECTRONICS		31 HOUSEHOLD		32 CONSUMABLE GOODS		33 LIVESTOCK	
34 MISCELLANEOUS		35 MOTOR VEH. STOLEN IN YOUR JURISDICTION? <input type="checkbox"/> Yes <input type="checkbox"/> No WHERE?		36 RECOVERED IN YOUR JURISDICTION? <input type="checkbox"/> Yes <input type="checkbox"/> No WHERE?		37 CASE #		38 SFX	
39 CASE #		40 SFX		41 CASE #		42 SFX		43 ADDITIONAL CASES CLOSED	
44 CASE STATUS <input type="checkbox"/> PENDING <input type="checkbox"/> INACTIVE <input checked="" type="checkbox"/> CLOSED ENTERED ACIC / NCIC DATE		45 CASE DISPOSITION: <input type="checkbox"/> CLEARED BY ARREST (JUV) <input checked="" type="checkbox"/> CLEARED BY ARREST (ADULT) <input type="checkbox"/> UNFOUNDED <input type="checkbox"/> ADM. CLEARED		46 REPORTING OFFICER Cpl M.D. Hall ID # 413		47 ASSISTING OFFICER ID #		48 SUPERVISOR APPROVAL ID #	
49 WATCH CMDR. ID #		50 WATCH CMDR. ID #		51 WATCH CMDR. ID #		52 WATCH CMDR. ID #		53 WATCH CMDR. ID #	

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ACJIC-33 REV. 11-94

## ALABAMA UNIFORM ARREST REPORT

OFFICER'S WORK PRODUCT MAY NOT BE PUBLIC INFORMATION

1 OR# 0030100		2 AGENCY NAME Montgomery Police Department		3 CASE # 03-025505		4 SFX 1	
5 LAST, FIRST, MIDDLE NAME Wermuth, Robert		6 ALIAS AKA		7 SEX <input checked="" type="checkbox"/> M <input type="checkbox"/> F		8 RACE <input type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> I	
9 HGT. 6'03		10 WGT. 170		11 EYE Bro		12 HAIR Blk	
13 SKIN Light		14 <input type="checkbox"/> SCARS <input type="checkbox"/> MARKS <input type="checkbox"/> TATTOOS <input type="checkbox"/> AMPUTATIONS		15 PLACE OF BIRTH (CITY, COUNTY, STATE) Montgomery, AL		16 DATE OF BIRTH 09/13/70	
17 AGE 33		18 MISCELLANEOUS ID #		19 DL #		20 ST	
21 FINGERPRINT CLASS KEY MAJOR PRIMARY SCOV SUB-SECONDARY FINAL		22 IDENTIFICATION COMMENTS		23 DL #		24 ST	
25 FBI #		26 HENRY CLASS		27 NCIC CLASS		28 RESIDENCE PHONE (334) 262-4025	
29 RESIDENT <input checked="" type="checkbox"/> NON-RESIDENT <input type="checkbox"/>		30 HOME ADDRESS (STREET, CITY, STATE, ZIP) 948 Garland Drive Montgomery, AL 36108		31 BUSINESS ADDRESS (STREET, CITY, STATE, ZIP)		32 BUSINESS PHONE	
33 EMPLOYER (NAME OF COMPANY/SCHOOL)		34 BUSINESS ADDRESS (STREET, CITY, STATE, ZIP)		35 ARRESTED FOR YOUR JURISDICTION? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		36 ARRESTED FOR YOUR JURISDICTION? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
37 LOCATION OF ARREST (STREET, CITY, STATE, ZIP) 948 Garland Drive Montgomery, AL 36108		38 RESIST ARREST? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		39 INJURIES? <input type="checkbox"/> NONE <input checked="" type="checkbox"/> ARRESTEE		40 ARMED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	
41 CONDITION OF <input type="checkbox"/> DRUNK <input type="checkbox"/> SOBER <input checked="" type="checkbox"/> DRINKING <input type="checkbox"/> DRUGS		42 TYPE ARREST <input checked="" type="checkbox"/> ON VIEW <input type="checkbox"/> CALL <input type="checkbox"/> WARRANT		43 ARRESTED BEFORE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		44 DESCRIPTION OF WEAPON <input type="checkbox"/> HANDGUN <input type="checkbox"/> RIFLE <input type="checkbox"/> SHOTGUN <input type="checkbox"/> OTHER FIREARM <input type="checkbox"/> OTHER WEAPON	
45 DATE OF ARREST 09/30/03		46 TIME OF ARREST 04:09		47 DAY OF ARREST 1		48 CHARGE-1 <input checked="" type="checkbox"/> FEL <input type="checkbox"/> MISD	
49 CHARGE-2 <input checked="" type="checkbox"/> FEL <input type="checkbox"/> MISD		50 STATE CODE/LOCAL ORDINANCE 2003F-1647		51 DATE ISSUED 09/30/03		52 STATE CODE/LOCAL ORDINANCE	
53 CHARGE-3 <input type="checkbox"/> FEL <input type="checkbox"/> MISD		54 STATE CODE/LOCAL ORDINANCE		55 DATE ISSUED		56 STATE CODE/LOCAL ORDINANCE	
57 CHARGE-4 <input type="checkbox"/> FEL <input type="checkbox"/> MISD		58 STATE CODE/LOCAL ORDINANCE		59 DATE ISSUED		60 STATE CODE/LOCAL ORDINANCE	
61 ARREST DISPOSITION <input type="checkbox"/> HELD <input type="checkbox"/> BAIL <input type="checkbox"/> RELEASED		62 IF OUT ON RELEASE WHAT TYPE?		63 ARRESTED WITH (1) ACCOMPLICE (FULL NAME)		64 ARRESTED WITH (2) ACCOMPLICE (FULL NAME)	
65 VYR		66 VMA		67 VMD		68 VST	
69 VCD TOP		70 VCD BOTTOM		71 TAG #		72 LIS	
73 VIN		74 IMPOUNDED? <input type="checkbox"/> YES <input type="checkbox"/> NO		75 STORAGE LOCATION / IMPOUND #		76 RELEASED TO	
77 OTHER EVIDENCE SEIZED/PROPERTY SEIZED		78 JUVENILE <input type="checkbox"/> HANDLED AND RELEASED <input type="checkbox"/> REF. TO WELFARE AGENCY <input type="checkbox"/> REF. TO ADULT COURT		79 PARENT OR GUARDIAN (LAST, FIRST, MIDDLE NAME)		80 ADDRESS (STREET, CITY, STATE, ZIP)	
81 PARENTS EMPLOYER		82 OCCUPATION		83 ADDRESS (STREET, CITY, STATE, ZIP)		84 PHONE	
85 DATE AND TIME OF RELEASE 09/30/03		86 RELEASING OFFICER NAME CPL M.D. Hall		87 AGENCY/DIVISION MPD/Detective		88 ID # 413	
89 RELEASED TO: M.C.D.F.		90 AGENCY/DIVISION		91 AGENCY ADDRESS 250 S. McDonough Street		92 PROPERTY #	
93 PERSONAL PROPERTY RELEASED TO ARRESTEE <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> PARTIAL		94 PROPERTY NOT RELEASED/HELD AT		95 REMARKS (NOTE ANY INJURIES AT TIME OF RELEASE) Dog bites to head and right arm received during the apprehension of the defendant.		96 SIGNATURE OF RECEIVING OFFICER	
97 SIGNATURE OF RELEASING OFFICER Cpl M.D. Hall #413		98 SIGNATURE OF RECEIVING OFFICER		99 SIGNATURE OF RELEASING OFFICER		100 SIGNATURE OF RECEIVING OFFICER	
101 MULTIPLE CASES CLOSED		102 CASE #		103 SFX		104 CASE #	
105 ARRESTING OFFICER (LAST, FIRST, M.) CPL M.D. Hall		106 ID # 413		107 ARRESTING OFFICER (LAST, FIRST, M.)		108 ID #	
109 SUPERVISOR		110 WATCH CMOR		111 WATCH CMOR		112 WATCH CMOR	

TYPE OR PRINT IN BLACK INK ONLY

**CASE ACTION SUMMARY  
MONTGOMERY MUNICIPAL COURT**

City of Montgomery vs ROBERT ANDREW WERMUTH (SSN: )		10/01/2003	Docket No.
Street Address 948 GARLAND DR		Date of Birth 09/13/1970	2003CRA007029A
City, State, ZIP MONTGOMERY		Sex	Race B

**Offense**

05C THEFT OF PROPERTY 3

**Date of Arrest**

09/29/2003

**Officer**

VARBARA LEWIS

**Bondsman****Bond Amount**

0.00

**First Appearance**

10/01/2003

**Type of Plea**

NG

**Findings**

G

**Date of Disposition**

11/18/03

UPON HEARING THE EVIDENCE IN THIS CASE, THE DEFENDANT IS ADJUDGED GUILTY AND IS ORDERED TO:

SO ORDERED

1. SERVE \_\_\_\_\_ DAYS IN JAIL, SUSPEND \_\_\_\_\_ DAYS
2. SERVE \_\_\_\_\_ DAYS IN JAIL, SUSPEND \_\_\_\_\_ DAYS AND PAY FINE OF \$ \_\_\_\_\_ DOLLARS, PLUS COURT COST \$ \_\_\_\_\_
3. PAY FINE OF \$ 294 DOLLARS, PLUS COURT COST \$ 191
4. OTHER \_\_\_\_\_

JUDGE, CITY OF MONTGOMERY

DEFENSE COUNSEL

McCarthy

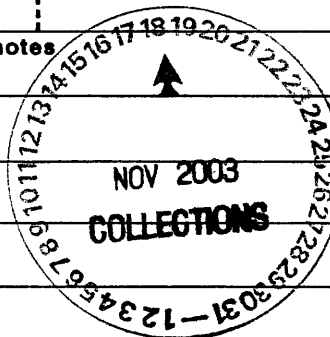
**Date****Actions, Judgements, Case notes**

OCT 01 2003

SAP

11-17-AP 7PM

JUN 2005  
COMMUTE TO  
DAYS





STATE OF ALABAMA  
COUNTY OF MONTGOMERY

**GENERAL RELEASE**

For and in consideration of the City of Montgomery, Alabama, forbearing criminal prosecution against \_\_\_\_\_, in Case No.(s) \_\_\_\_\_, presently pending in the Municipal Court of Montgomery, Alabama, the undersigned and the undersigned's heirs, executors, or administrators, do hereby release, remise, acquit and forever discharge the City of Montgomery and all of its agents, servants, employees, officers, successors, administrators, assigns, parent companies, subsidiary companies, associated companies, insurance carriers, attorneys, and the released parties, from any and all past, present and future claims, demands, actions, causes of action, suits, damages, loss and expenses, including litigation expenses and attorneys' fees, of whatever kind or nature, and whether known or unknown, including, but not limited to, any and all actions or claims for damages to property, bodily, or personal injury, resulting from false arrest, false imprisonment, or malicious prosecution, arising under the laws or Constitution of the State of Alabama or the United States, for or on account of or resulting or to result from the incident which occurred on or about \_\_\_\_\_, the facts and circumstances giving rise to Case No.(s) \_\_\_\_\_ and/or Claim No.(s) \_\_\_\_\_, and from any other claim, of every type and nature whatsoever, that could be made against the released parties for any act occurring up to the date of the execution of this Release.

The released parties do not admit liability of any sort but to the contrary expressly deny the same, and said released parties have made no agreement or promise to do or omit to do any act or thing not herein set forth, and the undersigned further understands that this Release is being executed to terminate all controversy and/or claims for injuries or damages of whatsoever nature, known or unknown, including future developments thereof, in any way growing out of or connected with said incident.

The undersigned acknowledges and agrees that he/she has read, and/or has had read out loud to him/her the foregoing Release and fully understands its contents.

I am signing this Release freely and voluntarily and intend to be bound by it.

Executed, this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Name of the accused)

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Witness)

State of Alabama  
Unified Judicial System  
Form C-64(a)(front) Rev. 11/92

## DEPOSITION

Warrant Number

Case Number

2003M4837

IN THE MUNICIPAL COURT OF MONTGOMERY, ALABAMA  
(Circuit, District or Municipal) (Name of Municipality or County)

☐ STATE OF ALABAMA☒ MUNICIPALITY OF MONTGOMERY

v. \_\_\_\_\_, Defendant

## INSTRUCTIONS: COMPLETE THE FOLLOWING INFORMATION ON THE ACCUSED

Name of Accused (or Alias) <u>Robert Andrew Wermuth</u>						Telephone Number	
Social Security Number <u>424-98-0085</u>		Driver's License Number <u>AL -</u>		Date of Birth <u>9-13-70</u>	Age <u>33</u>	Race <u>Black</u>	Sex <u>Male</u>
Height <u>6'3"</u>	Weight <u>190</u>	Hair <u>Black</u>	Eyes <u>Brown</u>	Complexion <u>Light mixed w/ something</u>			
Address of Accused <u>948 Garland Drive</u>				City <u>Montgomery</u>	State <u>AL</u>	Zip <u>36108</u>	
Name of Employer					Employer's Telephone Number		
Address of Employer			City	State	Zip		

## INSTRUCTIONS: COMPLETE THE FOLLOWING INFORMATION ON THE OFFENSE

Offense: Theft of Property 3<sup>rd</sup>  
 Date and Time of Offense: 3:45 A.M. - 29 Sept, 03  
 Place of Occurrence: Kwik Shop #120 - 565 N. Eastern Blvd, Mtny, AL 36117  
 Person Attacked or Property Damaged: Stole 2-18pk Bud beer  
 How Attacked: Walked out with 2-18pk of beer

Did Accused Possess or Use a Weapon? ☐ Yes ☒ No Type: \_\_\_\_\_

Damage Done or Injuries Received: \_\_\_\_\_

Value of Property: 2-18pk - \$28.58

Details of Offense: - Tall - 5'10" mixed male (white, black, hairaine) walked to the beer cooler asked how much was the 18pack beer. After he was told. He brought 3-18pk to the counter for purchase. I pressed to ask him how is he going to pay for this purchase. He said cash. I asked him where was his money he said he had it. And was going to go ahead and take the 2-18pk to the car and come back. I told him no you can not, you pay for it first then you can leave with it. He then pick-up the 2-18pk and walked out the door to his vehicle. I told him I will be calling the police. At the time I was calling the police, police unit curved up in the parking lot. And I motion to them in the window to stop the vehicle. Police pulled up and got out of their vehicle to stop the man. The man continue to try and start his vehicle the police kept asking him to shut the vehicle off. The man got the car started and he threw the car in drive with police officer hanging on to him and the vehicle. He threw the police officer off the vehicle as he exit the parking lot of the store and speed up the service road. The beer value was \$28.58. Police identified him as Robert A. Wermuth

Form C-64 (a) (back)

Rev. 11/92

**DEPOSITION**

Any Law Enforcement Agency Contacted?

☒ Yes☐ No

If yes, which one?

MPD**INSTRUCTIONS: COMPLETE THE FOLLOWING INFORMATION ABOUT YOURSELF**

Name of Complainant <u>Varbara Lewis</u>					Telephone Number	
Social Security Number	Driver's License Number	Date of Birth	Age	Race	Sex	
Home Address		City	State	Zip		
Name of Employer <u>Kwik Shop #120</u>			Employer's Telephone Number <u>(334)-273-8355</u>			
Address of Employer <u>565 N. Eastern Blvd</u>		City <u>Montgomery</u>	State <u>AL</u>	Zip <u>36116</u>		

I make this statement for the purpose of securing a **WARRANT/SUMMONS** against the named accused. I understand that I am instituting a criminal proceeding and cannot dismiss this case. I further understand that if any of the foregoing facts are untrue, I may, in addition to any other punishment provided by law, be taxed with court costs in this proceeding.

Sworn to and Subscribed before me this

20<sup>th</sup> 30th

day of

Sept. 2003.

Varbara M. Lewis  
Complainant

[Signature]  
Judge/Clerk/Magistrate

**WITNESSES**

Name

Address

Telephone Number

**MAGISTRATE NOTES**

Warrant or Summons Issued?

☐ Yes☐ No

Warrant Number:

State of Alabama Unified Judicial System		Case 2:05-cv-00644-CSC Document 31-2 Filed 11/16/2005 Page 40 of 65	Draft Number 2003M04837																		
Form CR-6 Rev. 8/98		COMPLAINT (Felonies, Misdemeanors, or Violations - District or Municipal Court)																			
IN THE MUNICIPAL COURT OF MONTGOMERY, ALABAMA (Circuit, District, or Municipal) (Name of Municipality or County)																					
<input type="checkbox"/> STATE OF ALABAMA																					
<input checked="" type="checkbox"/> MUNICIPALITY OF MONTGOMERY v. ROBERT ANDREW WERMUTH (000723910A) Defendant (NWS Jacket Number)																					
<p>Before me, the undersigned authority, personally appeared this day the undersigned complainant who, upon first being duly sworn, states on oath that he/she has probable cause for believing, and does believe that ROBERT ANDREW WERMUTH, Defendant, whose name is otherwise unknown to the complainant, did, prior to the commencement of this action, on or about 09/30/2003 (date of occurrence) commit the offense of THEFT OF PROPERTY, THIRD DEGREE within the</p> <p><input type="checkbox"/> County of</p> <p><input checked="" type="checkbox"/> City/Town of MONTGOMERY or in the police jurisdiction thereof, in that he/she did: (State specific facts here. Continue on a separate sheet of paper if needed.) (select as appropriate):</p> <p><input checked="" type="checkbox"/> did knowingly obtain or exert unauthorized control over the following property, to wit: (2) 18 PACKS OF BUDWEISER BEER</p> <p>the property of, to wit: QWIK SHOP #120, and having a value not in excess of \$500.00 dollars, with the intent to deprive the owner of the said property;</p> <p><input type="checkbox"/> did knowingly obtain, by deception, control over the following property, to wit:</p> <p>the property of, to wit: , and having a value not in excess of \$500.00 dollars, with the intent to deprive the owner of the said property,</p> <p>in violation of</p> <p><input type="checkbox"/> Section , Alabama Code 1975.</p> <p><input type="checkbox"/> Municipal Ordinance Number which embraces Section Alabama Code 1975, previously adopted, effective and in force at the time the offense was committed.</p> <p><input checked="" type="checkbox"/> Other Municipal Ordinance Number 125-79, which embraces ACT 2003-335, Alabama Legislature, 2003 Regular Session, previously adopted, effective and in force at the time the offense was committed.</p> <p>Sworn to and Subscribed before me this 30th day of Sept, 2003</p> <p>Judge/Magistrate/Warrant Clerk</p> <p>Verlan M. Lewis Complainant 565 N. Eastern Blvd Mtg, AL 36117 (334)-273-8355 Telephone Number</p>																					
WITNESSES																					
<table border="1"><thead><tr><th>Name</th><th>Address</th><th>Telephone Number</th></tr></thead><tbody><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr></tbody></table>				Name	Address	Telephone Number															
Name	Address	Telephone Number																			
Additional Witnesses on Reverse Side.																					

State of Alabama Unified Judicial System  Form CR-58 (front)      Rev. 8/98	<b>WARRANT OF ARREST</b> (Felonies, Misdemeanors, or Violations)	Warrant Number 2003M04837 <hr/> Case Number
--	---	---

IN THE MUNICIPAL COURT OF MONTGOMERY, ALABAMA  
(Circuit, District, or Municipal) (Name of Municipality or County)

☐ STATE OF ALABAMA

☒ MUNICIPALITY OF MONTGOMERY v. ROBERT ANDREW WERMUTH (000723910A)  
Defendant (NWS Jacket Number)

**TO ANY LAW ENFORCEMENT OFFICER WITHIN THE STATE OF ALABAMA:**

☒ Probable cause has been found on a Complaint filed in the court against (name or description of person to be arrested)  
ROBERT ANDREW WERMUTH  
 charging the offense of THEFT OF PROPERTY, THIRD DEGREE  
 as described in the Complaint.

☐ An indictment has been returned by the grand jury of this county against (name or description of person to be arrested)  
 charging the offense of \_\_\_\_\_  
 as described in the Complaint.

☒ **YOU ARE THEREFORE ORDERED** to arrest the person named or described above and bring that person before a judge or magistrate of this court to answer the charges against that person and have with you then and this Warrant of Arrest with your return thereon.

If a judge or magistrate of this court is unavailable, or if the arrest is made in another county, you shall then take the accused person before the nearest or most accessible judge or magistrate in the county of the arrest.

☒ You may release the accused person without taking the accused before a judge or magistrate:

☒ If the accused person enters into a bond in the amount of \$ 500.00 with sufficient sureties approved by an authorized officer or by depositing cash or negotiable bonds in the amount with the court clerk.

---OR---

☒ If the accused person posts an appearance bond in the amount of \$ 500.00

☐ On his or her personal recognizance.

Tuesday, September 30, 2003 05:38 AM  
 Date

*J. M. A.*  
 Judge/Court Clerk/Magistrate/Warrant Clerk



Form CR-58 (back) Rev. 8/98

**WARRANT OF ARREST**  
(Felonies, Misdemeanors, or Violations)

**CERTIFICATE OF EXECUTION**

I, the undersigned law enforcement officer, certify that I executed the foregoing **WARRANT OF ARREST** by arresting the accused person named (or described) therein at 0555 o'clock ☒ a.m. ☐ p.m. on the 30 day of 09, 20 03 in MONTGOMERY COUNTY, ALABAMA.

After arrest, the accused person was:

☐ Released as authorized at \_\_\_\_\_ o'clock ☐ a.m. ☐ p.m. \_\_\_\_\_, 20 \_\_\_\_\_

☐ Taken before ☐ Judge ☐ Magistrate at \_\_\_\_\_ o'clock ☐ a.m. ☐ p.m.

\_\_\_\_\_, 20 \_\_\_\_\_

Date

Signature/Title/Agency

**IDENTIFICATION OF ACCUSED PERSON**

Name of Accused Person <b>ROBERT ANDREW WERMUTH</b>				Telephone Number <b>334/262/4025</b>	
Social Security Number <b>424-98-0085</b>	Drivers License Number & State		Date of Birth <b>09/13/1970</b>	Age	Race <b>B</b>
Height <b>603</b>	Weight <b>170</b>	Hair <b>Black</b>	Eyes <b>Brown</b>	Sex <b>M</b>	
Address of Accused <b>948 GARLAND DR</b>			City <b>MONTGOMERY</b>	State <b>AL</b>	Zip Code <b>36108</b>
Name of Employer				Telephone Number	
Address of Employer			City	State	Zip Code

**WITNESSES**

Name	Address	Telephone Number
_____	_____	_____
_____	_____	_____
_____	_____	_____

**ACKNOWLEDGEMENT BY ACCUSED PERSON**

☐ I hereby acknowledge that at the time of my release from custody I was directed to appear in person before the court, as follows:

Place: 320 NORTH RIPLEY STREET, MONTGOMERY, ALABAMA 36104-2722 (334) 241-2776

Date: \_\_\_\_\_, 20 \_\_\_\_\_

Time: \_\_\_\_\_ o'clock ☐ a.m. ☐ p.m., and as thereafter needed until discharged.

☐ I promise to appear as directed before the court, as follows:

Place: 320 NORTH RIPLEY STREET, MONTGOMERY, ALABAMA 36104-2722 (334) 241-2776

Date: \_\_\_\_\_, 20 \_\_\_\_\_

Time: \_\_\_\_\_ o'clock ☐ a.m. ☐ p.m., and as thereafter needed until discharged.

Date

Signature of Accused Person

MONTGOMERY MUNICIPAL COURT

# CASE ACTION SUMMARY SUPPLEMENT SHEET

[illegible]

1093

ALABAMA DEPARTMENT OF CORRECTIONS  
INMATE SUMMARY AS OF 03/09/2004INST: 017  
CODE: CRSJM

CJR716-3

AIS: 001899913 INMATE: WERMUTH, ROBERT ANDREW RACE: B SEX: M  
 INST: 017 - RCC DORM: 00 JAIL CR: 000Y 02M 02D  
 DOB: 09/13/1970 SSN: 424-98-0085  
 ALIAS: WERMUTH, BOBBY ALIAS: WERMUTH, ROBER  
 ALIAS: WERTHUT, ROBERT ALIAS: WORLEY, ROBERT  
 ADM DT: 06/11/2004 DEAD TIME: 000Y 00M 00D  
 ADM TYP: NEW COMMITMENT - SPLIT SENTENC STAT: NEW COMMITMENT - SPLIT SENTENC  
 CURRENT CUST: MED-5 CURRENT CUST DT: 03/09/2004 PAROLE REVIEW DATE: - NONE -  
 SECURITY LEVEL: (4) FOUR  
 SERVING UNDER ACT446 LAW IN CLASS IV CURRENT CLASS DATE: 06/10/2004  
 INMATE IS EARNING : STRAIGHT TIME

COUNTY	SENT DT	CASE NO	CRIME	JL-CR	TERM
MONTGOMERY	06/11/04	NO1001336	THEFT OF PROPERTY II	02920	003Y 00M 00D CS
			3YRS PROBATION		
			ATTORNEY FEES : \$000000	HABITUAL OFFENDER : Y	
			COURT COSTS : \$0000062	FINES : \$0000000	RESTITUTION : \$0000033
MONTGOMERY	06/10/04	NO4000106	ASSAULT II	00520	003Y 00M 00D CC
			3YRS PROBATION		
			ATTORNEY FEES : \$000150	HABITUAL OFFENDER : Y	
			COURT COSTS : \$0000335	FINES : \$0000000	RESTITUTION : \$0000050

TOTAL TERM	MIN REL DT	GOOD TIME BAL	GOOD TIME REV	LONG DATE
003Y 00M 00D	04/07/2007	000Y 00M 00D	000Y 00M 00D	04/07/2007

INMATE LITERAL: ENROLL IN SAP; GIVE 60 DAY NOTICE PRIOR TO EOS

## DETAINDER WARRANTS SUMMARY

INMATE CURRENTLY HAS NO DETAINER WARRANT RECORDS

## ESCAPEE-PAROLE SUMMARY

INMATE CURRENTLY HAS NO PAROLE RECORDS

INMATE CURRENTLY HAS NO PROBATION 754 RECORDS

INMATE HAS NO ESCAPES FROM ALABAMA D.O.C.  
SINCE O.S.S.C.I.S. RECORDING BEGAN IN 1978

## DISCIPLINARY/CITATION SUMMARY

INMATE CURRENTLY HAS NO DISCIPLINARY/CITATION RECORDS

State of Alabama Unified Judicial System  Form C-87 Rev. 11/92	<b>NOTICE TO SHOW CAUSE FOR FAILURE TO PAY FINE, COSTS, RESTITUTION, OR OTHER COSTS</b>	Case Number:  03TRT034641
---	---	---------------------------------

IN THE MUNICIPAL COURT OF MONTGOMERY ALABAMA  
(Circuit, District, or Municipal) (Name of Municipality or County)

☐ STATE OF ALABAMA ☒ MUNICIPALITY OF MONTGOMERY

V. ROBERT WERMUTH DOB: 09/13/1970 (TR) • Defendant

It being made known to the Court that the above-named defendant, having failed to pay any fines, court costs, restitution or other costs, as previously Ordered by this Court,

It has been ORDERED and ADJUDGED that the above-named defendant shall pay the following sums to the Clerk of this Court by (date) DECEMBER 30, 2004 AT 2:00 PM, or appear in Court on the date and show cause, if any, as to why he/she should not be jailed or incarcerated for contempt of court or punished pursuant to Rule 26.11, ARCP for his/her willful failure to pay fine, costs, restitution, victim compensation assessment, or other costs as ordered.

<u>6-1-05- D is</u>	FINES	\$ <u>2,798.00</u>
<u>currently incarcerated in</u>		
<u>state prison - early</u>	COSTS	\$ _____
<u>release date is '07.</u>		
<u>Removed from PPS</u>	RESTITUTION	\$ _____
<u>and placed on ch. supv.</u>		
<u>W. Kay</u>	OTHER	\$ _____
	TOTAL	\$ <u>2,798.00</u>



In the event the defendant fails to comply with this Order or give sufficient cause or reason for noncompliance by (date) DECEMBER 30, 2004 AT 2:00 PM, the court clerk may be directed to issue a warrant for arrest and have the defendant incarcerated or jailed according to law.

This the 20TH day of DECEMBER, 2004

V. C. Beeman  
Judge/Clerk

Original: Court  
Copy: Defendant

**PROFESSIONAL PROBATION SERVICES, INC.**  
**COLLECTION DELINQUENCY REPORT**

Name: Robert Wermuth

Date: December 30, 2004

Case No(s): 03TRT034642; 03TRT034641;  
03CRA007029A

To: Judge Massey

Offense(s): Driving Without Driving  
License; Leaving Scene Of Accident;  
Theft Of Property 3<sup>RD</sup>

From: T. Robinson, P.O.

Sentence Date: 11/18/03

Court: Montgomery Municipal

County: Montgomery

=====

**Circumstances of Delinquency:**

The defendant violated CONDITION #1, in that he/she failed to make his monthly fine payments in the amount of \$50.00 per month to Professional Probation Services, Inc., resulting in a fine arrearage of \$500.00. The defendant violated CONDITION #3, in that he/she failed to report as directed on February 13, 2004.

=====

**Summary of Behavior Under Supervision:**

The defendant was sentenced to collections on November 18, 2003. In court on November 18, 2003, the defendant expressed a complete understanding for the conditions of his/her sentence. However, the defendant has failed to make adequate payments resulting in a fine arrearage of \$500.00 toward a fine balance of \$2,798.00.

The defendant has paid a total of \$100.00 toward his/her fines since sentenced in November 2003. The balance remaining on the fines total \$2,798.00. The defendant appears to have absconded from supervision in that he/she did not make his monthly payments as directed nor did he report. A Showcause was mailed to the defendant's last known address on December 22, 2004. The defendant is currently in the custody of Alabama's Department Of Corrections with a release date of April 7, 2007.



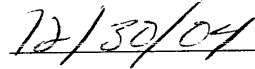
**Probation Recommendations:**

☐ Issuance of Warrant

☒ Showcause

The probation department respectfully recommends that due to the above stated violations, that the defendant be revoked from probation.





**Probation Supervisor (Signature)**

**Date**

**FINDINGS:**

- ☐ DEFENDANT FTA
- ☐ COMMUTED TO DAYS
- ☐ PAY AT WINDOW
- ☐ ISSUANCE OF RE-ARREST AND COMMIT WARRANT

cc: Court File  
Probation Office

CASE HISTORY / FIELD SHEET

I - PERSONAL

PPSI#

NAME (LAST) <u>Wermuth</u>		(FIRST) <u>Robert</u>		(MIDDLE) <u>Andrew</u>	
SS# <u>424 198 0085</u>			D.O.B. <u>9.13.70</u>		
HOME ADDRESS <u>948 Garland Drive</u>			HOME PHONE: <u>262.4025</u>		
CITY/STATE/ZIP <u>Montgomery, AL 36108</u>			CELL PHONE: <u>N/A</u>		
EMPLOYER <u>Unemployed</u>					
WORK ADDRESS			PHONE		
CITY/STATE/ZIP			COUNTY		
SEX <u>M</u>	RACE <u>B</u>	HT <u>6'2</u>	WGT <u>175</u> lbs.	EYES <u>Brown</u>	HAIR <u>Black</u>
DISABILITIES: <input checked="" type="checkbox"/> PHYSICAL <input type="checkbox"/> DRUGS <input type="checkbox"/> SCARS/TATTOOS <u>Diabetic, Cam 1/w</u> <input type="checkbox"/> MENTAL <input type="checkbox"/> ALCOHOL <input type="checkbox"/> RW					

II - COURT DATA

OFFENSE	FINE	NUMBER	TERM	COUNT	DATES
Driving w/o DL	178	03trt 034642		1	SENTENCE: 11.18.03
Leaving Scene of Accident	203	03trt 034642		1	START: 12.1.03
Theft of Property 3 <sup>rd</sup>	493	03CRA 0070294		1	EXPIRATION:
					NEW EXP:
					TOLLING:
					UNTOLLING:
					NEW EXP:

III - SPECIAL CONDITIONS

FINES <u>874</u>	<u>As have hold for County</u>
(MONTHLY) <u>50</u>	
REVOCATION HEARING DATE <u>                    </u> DATE COMPLETED <u>                    </u> MODIFICATION <u>                    </u>	

DATE RELEASED FROM PROBATION                      COMMENTS                     

DATE

OFFICER

I.D.#

NAME <i>Jessie Mae Smith</i>	NAME <i>Martha Humphrey</i>
ADDRESS	ADDRESS
CITY/STATE/ZIP	CITY/STATE/ZIP
PHONE <i>265. 9335</i>	PHONE <i>221. 4698</i>
RELATIONSHIP <i>friend</i>	RELATIONSHIP <i>friend</i>

## V - PRIOR ARRESTS/TICKETS

DATE	PLACE	OFFENSE	DISPOSITION	DATE	PLACE	OFFENSE	DISPOSITION

## VI - SUPPLEMENTAL

FIRST OFFICE CONTACT DATE: <i>11/18/03</i>	<i>I was in city</i>	psf arr	fine arr	FB
<i>jail noc 12/2/03 @ 9:00am</i>				
<i>12/1/03 1<sup>st</sup> OC w/A; A pd 0</i>				
<i>no atc; info verified</i>				
<i>A expressed understanding. (80)</i>				<i>874.0</i>
<i>noc: 12-12-03 @ 10:00am</i>				
<i>12/12/03 OC w/A; A pd 15<sup>00</sup></i>				
<i>no atc; info verified</i>				
<i>noc: 12/19/03 @ 4:00 (85)</i>				
<i>12-19-03 OC A pd 35<sup>00</sup></i>			<i>35</i>	<i>859</i>
<i>no atc;</i>				
<i>NOC 1-15-04 9:30 AM</i>			<i>0</i>	<i>824</i>
<i>1-15-04 OC w/A; A pd 50.</i>			<i>50</i>	<i>774</i>
<i>NO ATC; info verified</i>				
<i>NOC 2-13-04 @ 9:00</i>				
<i>2/13/04 FTR</i>				
<i>6/13/04 AHC w/A = spoke w/Female</i>				
<i>Louise, A is in Montgomery CO</i>			<i>50</i>	<i>774</i>
<i>jail. FTR</i>				

Wermuth Robert

50.20

[illegible]

**PPS Payment History 12/29/2004**

PPSI: 310100110006708

WERMUTH, ROBERT ANDREW

SSN: 424980085

948 GARLAND DRIVE

DOB: 09/13/1970

MONTGOMERY

REC#	DATE	ID	TYPE	AMOUNT	DESC
28324	12/12/2003	2003TRT034642	COLL	15.00	TS
28869	12/18/2003	2003TRT034642	COLL	35.00	PARKER
30988	01/15/2004	2003CRA007029A	COLL	50.00	TS
TOTAL PAID:				100.00	





# City of Montgomery, Alabama

ROBERT WERMUTH  
#189991  
200 WALLACE DRIVE  
CLIO, ALABAMA 36017

May 18, 2005

Dear Mr. Wermuth,

I received your letter concerning your probation revocation. You have a total of eight charges with our court. Six charges were placed on probation November 18, 2003. You were revoked December 20, 2004 and those cases along with two new traffic citations were put in rearrest status. If you want the judge to put a final disposition on the traffic tickets, please complete the enclosed Plea of Guilty/Waiver of Rights forms. Have the forms notarized with a raised seal and return them as soon as possible. The court will also need official documentation that shows your incarceration date, the length of your sentence, and your release date. The judges will not make a ruling without it.

If I can be of any further assistance to you, please do not hesitate to contact me at the Municipal Court.

Sincerely Yours,

*Marilyn D. Hopkins*  
Marilyn D. Hopkins

To: ROBERT ANDREW WERMUTH DOB 09/13/1970

From: **Montgomery Municipal Court**  
**320 N. Ripley Street**  
**Montgomery, AL 36104**  
**(334) 241-2776**

Subject: Letter/Request

Date: MAY 18,2005

The letter/request you sent to the Court has been read and your case(s) have been reviewed. The following action has been taken pursuant to your letter/request:

- ☐ The case(s) in your file have been carefully reviewed and it has been determined that all cases were properly attributed against you.
- ☐ The case(s) in your file have been carefully reviewed and it has been determined that all cases were not properly attributed against you. Your new release date is \_\_\_\_\_ or your payout is \_\_\_\_\_
- ☐ Your request for community service has been **denied**.
- ☐ Your request for community service has been **granted**. See the enclosed Order for Community Service.
- ☐ Your request for the Driver Improvement Program (DIP) has been **granted**. See the enclosed DIP form.
- ☐ Your request for the Driver Improvement Program has been **denied**.
- ☐ Your request for early release has been **denied**.
- ☐ Your request for early release has been **granted** and your release date is \_\_\_\_\_
- ☐ Your jail sentence was correctly calculated and no adjustment is due to your release date.
- ☐ An adjustment was made to your jail sentence and your new release date is \_\_\_\_\_
- ☐ Your request to run your jail term from another jail facility concurrently with your Municipal Court sentence has been **denied**.
- ☐ Your request to run your jail term from another jail facility concurrently with your Municipal Court sentence has been **granted**.
- ☐ You must pay a total fine and costs for your case(s) in the amount of \$ \_\_\_\_\_ no later than \_\_\_\_\_ or appear before the Court at 320 N. Ripley Street at 8:00 a.m. on that date.
- ☐ Records show that you have served \_\_\_\_\_ days in the City Jail and your payout is \$ \_\_\_\_\_ as of this date. You are being credited for \$ \_\_\_\_\_ for each day served in jail.
- ☐ You must call the Court at (334) 241-2776 to schedule a court appearance.
- ☐ You may plead guilty by signing the enclosed Waiver of Rights/Plea of Guilty Form(s).
- ☐ You must return the Waiver of Rights/Plea of Guilty Form(s) no later than \_\_\_\_\_
- ☐ The Court will notify you of the total fine and cost assessed and due upon your conviction.
- ☒ The fine, court cost and fees for your case is \$ 2,426.00 Total payment due: OVERDUE
- ☒ Copies of your file are enclosed.
- ☐ Your request for an earlier court date has been **granted**. Your new court date is \_\_\_\_\_
- ☐ Your request for an earlier court date has been **denied**.
- ☐ Your request to change your plea has been **denied**.
- ☐ Your request to change your plea has been **granted**. You will be called to appear before the Court.
- ☐ Your court date is \_\_\_\_\_
- ☐ The Cannons of Judicial Ethics prohibits communication with the Judge outside the presence or knowledge of the City Prosecutor. Any requests/motions you make must be done in court with the knowledge and presence of the City Prosecutor. You may call the above-listed number and schedule a court date if you wish to appear in court and make your request/motion. You are responsible for taking action by the due date on your ticket.
- ☐ The bond amount has been reduced for your, case(s). The amount required for your release is \$ \_\_\_\_\_
- ☐ You have an outstanding charge(s) that has no final disposition. You may plead not guilty and a court date shall be set upon your release from the state/federal correctional facility. Or, you may plead guilty and the court will notify you of the disposition of your case. If you wish to plead guilty, a Public Defender with the Municipal Court will be appointed to represent you.
- ☐ The Court has placed a detainer upon you so you may be transferred to the Montgomery City Jail upon your release from the state/federal correctional facility.

cc: Defendant File

\*\*\* SEE REVERSE SIDE FOR OTHER COMMENTS \*\*\*

CITY of MONTGOMERY  
V.  
Robert Wermuth

CASE #  
Municipal Court of  
Montgomery

Motion to Revoke Probation

Comes Now, Defendant, Robert Wermuth, Pro Se, Pursuant to Rule 27.5(b)(1)(2) Ala. R. Crim. P., Defendant Respectfully moves this Honorable Municipal Court of the City of Montgomery to Revoke Probation in the Above styled cause. Defendant voluntarily admits, under the Requirements of Rule 27.6(c), Ala. R. Crim. P., that he committed the violation(s); of Failure to Report; And Failure to Pay court cost, Fines/Or Restitution.

Due to being incarcerated in ALABAMA DEPARTMENT OF CORR., Pursuant to Rule 27.6(a)(b), Defendant wishish to Knowingly And Voluntarily Waive his Right to A hearing And Right to be Present And Right to be Represented by counsel.

Pursuant to Rule 27.6(c)(1-4), Ala. R. Crim. P., Defendant admits that he fully understand the Provisions set out in this Rule And moves this Honorable Court to ACCEPt this motion AS An Admission that Defendant has Violated the terms of his Probation.

Pursuant to Rule 27.6(e), Ala. R. Crim. P., Defendant moves this Honorable Court to Find him guilty, due to the Above stated cause And hereby Revoke his Probation.

Pursuant to Rule 26.11(i) Ala. R. Crim. P., Defendant moves this Honorable Court, that After consideration of the defendant's situation, means, And conduct with Regaurd to the non-payment of the Fine And/or Restitution, the Court shall determine the Period of incarceration in default of payment and sentence him.

ACCORDANT WITH Rule 26.11(i)(1)(i), Ala. R. Crim. P.

FILED  
CLERK OF COURT  
MONTGOMERY, ALA.  
2005 MAY 9 - 6 1:39

Respectfully submitted on this 25<sup>th</sup> day of April 2005.

Robert Wermuth  
Defendant

I hereby certify that A true and correct copy of the above and foregoing was served upon the Honorable Clerk of the City of Montgomery, by placing the same in the United States mail, properly and post marked on this 25<sup>th</sup> day of April 2005.

Robert Wermuth  
189991 6A-30  
Easterling Corr. Facility  
200 Wallace Dr  
Clio, Ala 36017

11-25-05

Honorable Clerk;

I do not have the case number to this cause.  
I was sentenced on Nov. 18, 2003. Would you please  
find it and properly mark this enclosed motion.

Thank You,

Robert Weermuth





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[Facility Addresses](#)

**EMPLOYMENT OPPORTUNITIES**  
[Officers](#)  
[Other Positions](#)

## Inmate Search

<p>Data Last Updated on <b>12/10/2004</b></p> <hr/> <p><b>Search Criteria</b></p> <p>AIS Number <input type="text"/></p> <p>First Name <input type="text" value="robert"/></p> <p>Last Name <input type="text" value="wermuth"/></p> <p><input type="button" value="Find Records"/></p>	<p><b>General Search Info</b></p> <ul style="list-style-type: none"> <li>This database only contains currently incarcerated inmates. History is not available on-line at this time.</li> <li>The AIS (Alabama Institutional Serial) number field takes precedence in searches. The AIS number is the unique six-digit number assigned to each inmate incarcerated by the Alabama Department of Corrections and is the quickest way to find a particular inmate. If you enter data in the search field, the only record shown will be the one where the AIS number in the database exactly matches the data you've entered. The First Name and Last Name fields are ignored anytime data is entered in the AIS Number field.</li> <li>The First and Last Name search fields can be used separately or in combination to find inmate records. If data is entered in both name fields, only matching both fields will be shown. The data entered in these fields will perform an open-ended search of the inmate records. In other words, if you enter "ch" in the last name field, you'll see all inmates with last names beginning with those four letters.</li> <li>Records are always shown in alphabetical order by the inmate's name.</li> <li>The maximum number of records that will be displayed at one time is 50. If more than 50 records are selected, only the first 50 records, in order, will be shown.</li> </ul>
---	--

AIS	Inmate Name	Race	Sex	Birth Date	Current Location	Release Date
189991	WERMUTH, ROBERT ANDREW	B	M	09/13/1970	Easterling CF	04/07/2007

### Results Key:

- Current Location** - The inmate's assigned location as of the date of the last data update noted at the top of this page. Alabama Department of Corrections facilities are designated as CF (Correctional Facility), WR (Work Release) or other special locations, spelled out completely (i.e. Red Eagle Honor Farm, Frank Lee Youth Center, etc). Locations containing the word **County** indicate an inmate assigned to a local facility within that county. Locations containing the letters **SIR** indicate an inmate assigned to the Supervised Intensive Release program in that county. Inmates currently assigned to other states will appear with the name of that state in the current location field.
- Release Date** - Current projected release date. This date is subject to change if the inmate loses good time due to disciplinary reasons or escape.
- Code** - Special sentence codes to explain records without release dates. The codes are as follows:  
**DR** = Death Row  
**LW** = Life Without Parole  
**LB** = Life & Barred from Parole  
**LP** = Life with Parole Possible  
**BP** = Barred from Parole

## PPS Collection Activity - 01/01/2004 thru 01/31/2004

Name: SSN: DOB: OFFENSES:  
WERMUTH, ROBERT ANDREW 424980085 09/13/1970 THEFT OF PROPERTY

Rec No	Date	Citation	Amount	Court%	PPS%
30988	01/15/2004	2003CRA007029A	50.00	37.50	12.50
			50.00	37.50	12.50

2/20/2004 211,342 10:10  
2003CRA007029A 37.50  
MONTGOMERY MUNICIPAL COURT  
R E C E I P T

2/20/2004 18:18:48  
000211342 37.50  
FOR DEPOSIT ONLY  
GLANDRUM

2/20/2004 18:18:48  
000211342 37.50  
FOR DEPOSIT ONLY  
GLANDRUM

**MONTGOMERY MUNICIPAL COURT  
PROBATION SERVICES - DEFENDANT PAYOUT WORKSHEET**

DATE OF REPORT: Monday, January 03, 2005

DEFENDANT NAME: WERMUTH, ROBERT ANDREW (09/13/70)

**MUNICIPAL COURT EMPLOYEE:**

**MRIVERS**

CASE NUMBER	FINES AND COSTS
1 2003TRT034642	\$178.00
2 2003TRT034641	\$203.00
3 2003CRA007029A	\$493.00
4 2003CRA003710B	\$485.00
5 2003CRA003710A	\$485.00
6 2003CRA003710C	\$391.00
7	\$0.00
8	\$0.00
9	\$0.00
10	\$0.00
11	\$0.00
12	\$0.00
13	\$0.00
14	\$0.00
15	\$0.00
16	\$0.00
17	\$0.00
18	\$0.00
19	\$0.00
20	\$0.00
21	\$0.00
22	\$0.00
23	\$0.00

[illegible][illegible][illegible]

"CREDIT TAPE"	
	\$0.00

TOTAL FINES AND COURT COSTS

TOTAL AMOUNTS PAID

TOTAL COLLECTION FEE CREDITS

**TOTAL AMOUNT DUE  
(NEGATIVE BAL. IS O/P)**

CF CREDIT REMAINING

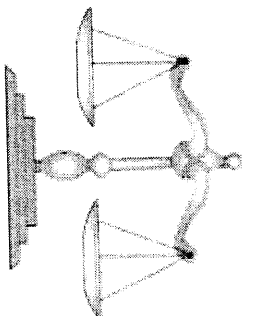
# MMC

**\$1,601.25**

**PPS**

**\$533.75**

**-\$25.00**



**COLLECTION****IN THE MUNICIPAL COURT OF MONTGOMERY  
MONTGOMERY COUNTY, STATE OF ALABAMA****CITY OF MONTGOMERY**

vs.

Robert Andrew Wermuth

OFFENSE DESCRIPTION	CASE #/UTTC #	TOTAL FINE & COST	O/P CREDIT
driving w/od.L	03tr+034642	178	
Leaving Scene of Acci.	03tr+034641	203	
Theft of Property 3	03CRA007029A	493	

**ORDER OF PARTIAL PAYMENTS**

**WHEREAS**, disposition have been made against the above named defendant, the Court finds the defendant is capable of paying court-ordered fines and court costs, and such payments shall be made directly to Professional Probation Services, Inc. (PPS).

**THEREFORE**, it is **ORDERED** that the defendant shall pay \$ 874 which represents the total fines and cost due.

Defendant shall obey the following conditions and make partial payments to PPS as follows:

1. Pay \$ 50.00 each month;
2. Not violate the laws of any governmental unit;
3. Report to the PPS Probation Supervisor as directed and behave in a truthful and respectful manner;
4. Work faithfully at suitable employment insofar as may be possible;
5. Not change his/her present place of abode, or leave the State without notifying the probation supervisor;
6. Support his/her legal dependents to the best of his/her ability;
7. Avoid injurious and vicious habits-especially alcoholic intoxication, and dangerous drugs unless prescribed lawfully;
8. Avoid persons and places of harmful or disreputable character;
9. Not to drive without a valid State driver's license;
- ☐ 10. Abstain from the use of alcohol and drugs, and submit to random alcohol/drug testing;
- ☐ 11. Complete an alcohol and drug use evaluation and follow all directives for treatment or counseling;
- ☐ 12. Complete a Risk Reduction course conducted by an agency licensed by the State of Alabama;
- ☐ 13. Complete \_\_\_\_\_ hours of community service as directed by the PPS Probation Officer;
- ☒ 14. Probation to be unsupervised upon payment of the fine and cost;
- ☐ 15. Pay restitution in the amount of \$ \_\_\_\_\_ to \_\_\_\_\_ for Citation # \_\_\_\_\_;
- ☐ 16. Serve \_\_\_\_\_ days in the Montgomery City Jail; to report on \_\_\_\_\_ and released on \_\_\_\_\_;
- ☐ 17. Not to bother, harass, or contact affiant \_\_\_\_\_;
- ☐ 18. To stay off the property of \_\_\_\_\_;
- ☒ 19. Pay Attorney's fee in the amount of \$ \_\_\_\_\_ to \_\_\_\_\_;
- ☒ 20. 50 12-1-03 (Δ has hold for county);

**UPON THE VIOLATION** of any of this **ORDER**, the Defendant may be arrested and subject to incarceration under Rule 26.11, Alabama Rules of Criminal Procedure. **IT IS SO ORDERED**, this 18 Day of November, 20 03.

Judge, The Municipal Court of Montgomery, Alabama

Knight

This is to certify that a true and correct COPY of this sentence has been delivered in Person to the Defendant who has been duly instructed regarding the conditions thereof.  
This 18 day of November, 20 03.

[Signature]  
Probation Officer

White - Clerk of Court

Yellow - Probation

[Signature]  
Defendant

Pink - Defendant



5-23-05

DEAR MRS. Hopkins, I very much appreciate your  
sincerity and professionalism. It would make the  
world a lot better place if there more people  
like you.

Thank You!

Robert Wermuth

189941 6B-38

Easterling Corr. Facility

200 WALLACE DR.

CLD, AL 36017

2005 MAY 26 A 10:03  
FILED  
CLERK OF COURT  
MONTGOMERY MUNICIPAL COURT

SUBPOENA FEE ASSESSMENT SHEET

NAME OF DEFENDANT

*Robert Andrew Wernath*

CASE NUMBER	NUMBER OF SUBPOENAS	TOTAL FEE
<i>203 CMT 07029 A</i>	<i>1</i>	

CASE NUMBER	NUMBER OF SUBPOENAS	TOTAL FEE

CASE NUMBER	NUMBER OF SUBPOENAS	TOTAL FEE

CASE NUMBER	NUMBER OF SUBPOENAS	TOTAL FEE

R-84 (Rev. 7-1-96)

## FINAL DISPOSITION REPORT

Leave Blank

**Note:** This vital report must be prepared on each individual whose arrest fingerprints have been forwarded to the FBI Criminal Justice Information Services Division without final disposition noted thereon. If no final disposition is available to arresting agency, also obtain subject's right four finger impressions on this form, complete left side and forward the form when case referred to prosecutor and/or courts. Agency on notice as to final disposition should complete this form and submit to: **FBI, CJIS Division, Clarksburg, WV 26306.**

(See instructions on reverse side)

FBI No.		Final Disposition & Date (If convicted or subject pleaded guilty to lesser charge, include this modification with disposition.)
Name on Fingerprint Card Submitted to FBI Last First Middle <i>Wermuth Robert</i>		
Date of Birth <i>9-13-70</i> Sex <i>M</i>		
Henry Fingerprint Classification From FBI 1-B Response		
State Bureau No. (SID)	Social Security No. (SOC) <i>424-98-0085</i>	This Form Submitted By: (Name, Title, Agency, ORI No., City & State)
Contributor of Fingerprints (Include <b>complete</b> name and location of agency, together with ORI number.) <i>Montgomery City Jail</i> <i>AL0030100</i> <i>Drawer 100</i> <i>Montgomery, Alabama 36104</i>		
Arrest No. (OCA) <i>7029</i>		
Date Arrested or Received <i>9-30-03</i>		Signature _____ Date _____ Title _____
Offenses Charged at Arrest <i>T.O.P. III - 05c</i>		
		<input type="checkbox"/> COURT ORDERED EXPUNGEMENT: Return Arrest Fingerprint Card to Contributing Agency; Certified or Authenticated Copy of Court Order Attached.
		Right Four Fingers Taken Simultaneously <i>Unable to print</i>

If additional space is needed, check ☐ and continue on reverse side of this form.

## INSTRUCTIONS

1. The purpose of this report is to record the initial data of an individual's arrest and thereafter secure the **final disposition** of the arrest at the earliest possible time from either the arresting agency, the prosecutor or the court having jurisdiction. (INTERIM DISPOSITION INFORMATION, e.g., RELEASED ON BOND, SHOULD NOT BE SUBMITTED.) The SUBJECT'S NAME, CONTRIBUTOR AND ARREST NUMBER should be exactly the same as they appear on the fingerprint card IN THE FILES OF THE FBI. The FBI number should be indicated, if known. Agency ultimately making final disposition will complete and mail form to: **FBI Criminal Justice Information Services Division, Clarksburg, WV 26306**.
2. **The arresting agency** should fill in all arrest data on left side of form and obtain the finger impressions of the right four fingers simultaneously. This should be done at the same time as the full set of fingerprints are taken on the arrest fingerprint card. If the arrest is disposed of by the arresting agency, as where the arrestee is released without charge, then the arresting agency should fill in this final disposition and mail form to FBI Criminal Justice Information Services Division. Of course, if final disposition is known when arrest fingerprint card is submitted it should be noted thereon and this form is then unnecessary. In the event the case goes to the prosecutor, this form should be forwarded to the prosecutor with arrestee's case file.
3. **The prosecutor** should complete the form to show final disposition at the prosecution level if the matter is not being referred for court action and thereafter submit form directly to FBI Criminal Justice Information Services Division. If court action required, the prosecutor should forward form with case file to court having jurisdiction.
4. **The court** should complete this form as to final court disposition such as when arrested person is acquitted, case is dismissed, on conviction and when sentence imposed or sentence suspended and person placed on probation.
5. When arrested person convicted or enters guilty to lesser or different offense than that charged when originally arrested, this information should be clearly indicated.
6. If subsequent action taken to seal or expunge record, attach certified or authenticated copy of court order to this form so that FBI can retransmit arrestee's fingerprints to original contributor.
7. It is **vitaly important** for completion of subject's record in the FBI Criminal Justice Information Services Division files that **Final Disposition Report** be submitted in every instance where fingerprints previously forwarded without final disposition noted thereon.

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**FOR ADDITIONAL INFORMATION**

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